Audie Bock adds green to the Capitol's palette

california JOURNAL

MAY 1999
$3.95
a State Net Publication

Teacher Tenure:

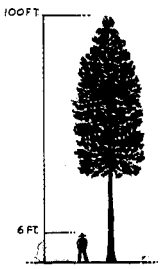
"Jane, see. Jane, see your teacher," said Dick.

"She has been here a long time," Dick said.

"I will be here forever," said the teacher.

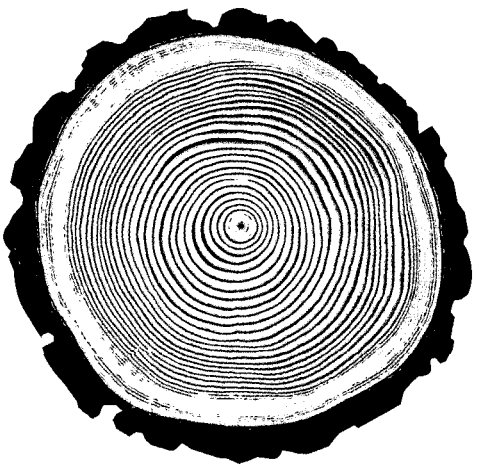
"How come?" said Jane.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED



The average Californian consumes the equivalent of a 100-foot tree every year. By 2020, it's estimated the demand for wood products will increase by 50%.

Some forests on publicly-owned land are poorly managed and unhealthy, with overcrowded trees competing for available light, water and nutrients.



Insects kill more trees than fires and disease combined. You can tell how old a tree was when it died by counting the rings that form each year.

California's private forests are the most protected forests in the world. In most cases, foresters can't harvest a single tree without a comprehensive ecological plan.

To see if a forest is healthy we read between the lines.

California foresters plant an average of 7 new trees for each one harvested. That's part of the reason our forests are nearly as large as they were 100 years ago.

Fire is part of the forest cycle. Native Americans set them to clear the forest floor for planting and hunting. Today we use controlled burns and mechanical thinning to help prevent damaging wild fires.

A tree can tell you a lot about the health of a forest if you know what to look for. Besides the age of a tree, rings can tell you how much rain fell each year. Scars in the rings tell you when fires occurred and when insects attacked the tree. California private foresters use that information to help develop comprehensive management plans to keep forests healthy and producing the wood and paper products we all use. Want to learn more about private forests? Call 1-877-REPLANT for a brochure, or write to the California Forest Products Commission, 853 Lincoln Way, Auburn, CA 95603. Or visit our website at www.calforests.org

We care for the Forests

California Forest Products Commission

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

california JOURNAL

May 1999
Volume XXX, Number 5

Upfront

Talking Points

Rostrum

Two Cents

Southern Exposure

State of the State

The Bottom Line

Washington Perspective

Fare thee well

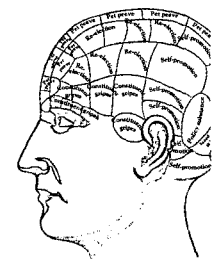
In the *California Journal's* 30-year life-span, a special cadre of dedicated journalists has helped shape the dialogue with readers — sometimes about politics, sometimes about government, always about public affairs and always of value. Alas, these colleagues come and go faster than we'd like, lured by golden opportunities for continued growth elsewhere. We endured one such departure in April, as Associate Editor Anthony York headed to San Francisco and *Salon,* the trailblazing Internet magazine, as associate editor for news. During our association with Anthony, we found him to possess an uncanny ability to hone in on the story *behind* the story — ever critical to covering the California Legislature. The proverbial "nose for news" is a natural fit for Anthony in an era when too few pundits and reporters are unwilling or unable to sniff out the backroom dramas and dynamics that invariably backdrop political news. Although we'll miss his lively style, we wish him well, and godspeed, in his new endeavor.

Cynthia H. Craft

10 Tenure for Teachers
The origins of teacher tenure are rooted in an era when teachers were denied basic workplace freedoms. That was then; this is now, say critics — a time when tenure has outlived its purpose.
By Sigrid Bathen

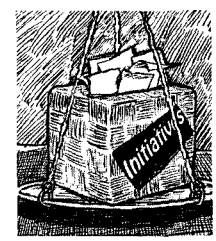
20 Reconstructing Harris
The failure of Oakland's Elihu Harris to win a second go-'round in the state Assembly prompts soul-searching and promises of redemption from a stunned and humbled Democratic Party.
By Emelyn C.L. Rodgriguez

22 New Shade of Green
Enter Audie Bock, the new assemblywoman from the Green Party who knocked the Democratic Party bosses off their high horses.
By Max Vanzi



26 Smile for the Camera
Here's one way for politicians to snare the attention of broadcast journalists and win highly coveted TV time: Find the lowest common denominator and pander to it.
By Steve Scott

34 Uncle Gephardt Wants You
Democrats in Washington are betting that the public won't forget about the GOP's impeachment debacle, and they are recruiting for the 2000 elections.
By Anthony York



40 Tweaking the Initiative Process
In a Colorado case with implications for California, the U.S. Supreme Court gives thumbs-up, or thumbs-down, on restrictions have placed on signature-gatherers.
By Charles M. Price

Illustration by Meg McAneny

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

umbrage

Privileges of the floor. Here's a phrase you probably never expected to hear: "Ms. Bock requests a Green Party caucus."

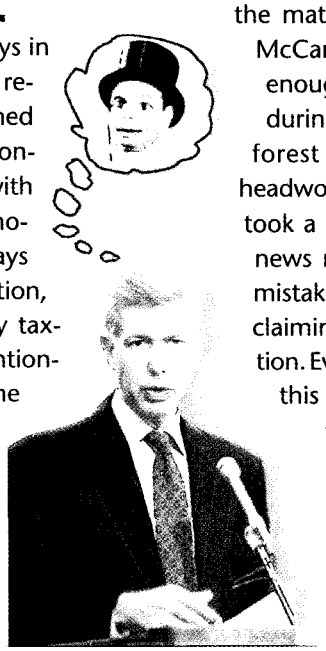
Dumped. Throughout much of late March, political circles in Sacramento were buzzing about a report conducted by a research consultant for the Assembly Republican Caucus. Titled "The Emerging Republican Minority," Bernd Schwieren's study suggests the GOP is literally scaring away women and Latino voters with its finger-wagging obsession with social issues, and the Democrat-fed stereotype of the GOP as a "whites preferred" club. A few weeks later, the caucus for whom Schwieren works showed its attentiveness to those voting populations by dumping the first non-white leader in the caucus' history. Barely five months into the job, moderate Assemblyman Robert Pacheco (R-Riverside) was removed and replaced by Orange County conservative Assemblyman Scott Baugh (R-Huntington Beach). Yes, that's the same Scott Baugh who's spent the last four years under a legal cloud for alleged involvement in election tampering in Orange County. The charges against Baugh were dropped barely two weeks before his elevation. There is ample evidence to suggest that Pacheco's exit really was an internal matter, a function of his brusque personality and inability to handle the tactical functions of legislative leadership. But consider the larger cost of the move. The GOP loses its highest-ranking minority officeholder in a coup engineered entirely by white males. In so doing, they pitch more kindling onto the motivational fire Democrats lit under the Latino electorate. Toward the lobbyist corps they send wafting the faint aroma of cluelessness. And perhaps most critically, they essentially kiss goodbye to the roughly $600,000 Pacheco had raised during his five months on the job. Tell us again how all this will help the party recapture control of the Assembly?

Nanny-in-chief. In his first 100-days press extravaganza last month, about the only "accomplishment" Governor Gray Davis didn't trumpet was what may have been the single most pervasively ignored proclamation in the history of state government. By gubernatorial decree, this week has been officially declared "Spring Break Safety Awareness Week." The proclamation warns students that "their behavior reflects upon our State and its people," and urges them to "exercise caution and good judgment over the Spring Break period." Well, now that'll slow 'em down. One can just imagine the exchange: "Hey, dude, let's go down to Palm Springs, get wasted and drive your Mom's Miata into a swimming pool," suggests one recreation-minded reveller. "No way, man. It's Spring Break Safety Awareness Week! I'm representin' for my state. I'll go down to Palm Springs, but only if you promise we'll only drink Dr. Pepper and obey all speed and traffic laws. Come to think of it, Dr. Pepper is a little over the top." Much has been made of Davis' workaholic ways, but it's nice to know the new governor still has room in his day for a little fatuous moralizing.

Class clowns. Despite his reputation as a hard-driving one-time Senate president pro tempore, Bill Lockyer usually looked for ways to leaven his floor speeches with a lighter touch. Well, Lockyer's reputation as a "schtickmeister"

Dear Governor Davis...

Congratulations on your first 100 days in office, and thank you for thoughtfully reminding us about all you've accomplished with that splashy, substance-free news conference. But we'd like to pick one little nit with you. It's not about the feckless self-promotion. If you want to custom-make a 100-days backdrop to splash behind your presentation, knock yourself out. If you want to decry tax-raising "Sacramento elitism" without mentioning your own quarter-century as one of the elites, go for it. If you want to stage-manage everything to a high-concept gloss, whatever floats your boat. But governor, it's Head*waters* Forest. Not "Headwoods." The trees are redwood. The forest is Headwaters. "Headwood" is



the material used to create Charlie McCarthy's cranium. It was bad enough that you made the gaffe during your "city boy" tour of the forest itself ("My, aren't these headwoods beautiful!"). But after you took a little ribbing about it in the news media, you made the same mistake while in the process of again claiming credit for their preservation. Everybody makes mistakes, and this certainly doesn't rise to Dan Quayle-esque proportions. But on behalf of all those "majestic sentinels of God's creation," let's try to see the forest or the trees, and not both at the same time.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

california JOURNAL a State Net publication

Editor: A.G. Block

Managing Editor: Cynthia H. Craft

Senior Editor: Sigrid Bathen

Political Editor: Steve Scott

Associate Editors: Claudia Buck, Noel Brinkerhoff, Kathleen Les, Melanie Smith

Contributing Editors: Lou Cannon, Lance Izumi, Sherry Bebitch Jeffe, Susan Rasky, Marc Sandalow, Dana Wilkie

Research Assistants/ staff writers: Sekhar Padmanabhan, Tippy Young

Circulation: Tim Foster

Art Director: Dagmar Thompson

Art Staff: Suzanne Raney

Advertising Representative: Mary Dolliver (916) 444-2840

Advertising Coordinator: Erica Pahl, (916) 444-2840

Founding Publisher: Thomas R. Hoeber

STATE NET

Services & Publications

50-state and congressional on-line legislative and regulatory reporting • Single-state on-line legislative and regulatory reporting for CA,, CO, IL, MI, MA, OH, and PA • State Net Capitol Journal • California Directories • California Journal • California Political Almanac •California Journal On-line •50-state legislative Directory • Books & Seminars

For more information call: (916) 444-0840

CALIFORNIA JOURNAL is a monthly, non-partisan, non-ideological analysis of California government and politics established in 1970. The Journal is available on-line through StateNet, Nexis/Lexis and Westlaw. It is indexed in Public Affairs Information Service, New York Times Information Bank, Sage Urban Studies Abstracts and Urban Affairs Abstracts. California Journal (ISSN 0008-1205) is published monthly. Subscription rates: Libraries and Government Agencies, $59.00; Corporations and Associations, $95.00; Special Individual rate, $42.00. Address all inquiries to California Journal, 2101 K Street, Sacramento, CA 95816. Telephone (916) 444-2840. Copyright 1998 by Information for Public Affairs, Inc. Periodicals postage paid at Sacramento. POSTMASTER: Send address changes to CALIFORNIA JOURNAL, 2101 K Street, Sacramento, CA 95816.

umbrage

has followed him to his new job as state attorney general. Speaking to the recent state Democratic Party convention in Sacramento, Lockyer took his cue from the recent Academy Awards to offer his own list of Oscar winners. Among the pithier "winners": Best Short Live-Action Pharmaceutical Telemarketing — Bob Dole, in "Waking Ned Devine"; Best Screenplay Adaptation from Another Medium (The Bible) — Pat Buchanan in "Gods and Monsters"; and Best Choreography, for his tribute to "clog dancing" on the campaign trail — Dan Lungren in "Dead Man Walking." But Lockyer may soon have some company in the ranks of political gag men. During a legislative committee hearing on a bill to regulate amusement parks, Republican Senator Richard Mountjoy (R-Monrovia) got in a few zingers himself. When Democrat Betty Karnette suggested we all wanted bigger more thrilling rides, Mountjoy deadpanned that "maybe you should go back to the Assembly." Mountjoy went on to say that the real thrill ride is being a Republican in a Legislature dominated by Democrats. "It's like being in the front seat of a rollercoaster," Mountjoy quipped. "You feel nauseous and you have no way to control the ride."

Start me up. The political reform group Common Cause has come out with its annual report on gifts received by lawmakers. The group says nonprofit organizations have become the new "Astroturf" covering corporate sponsorship of legislative junkets. Common Cause probably thought the big news of their report was the revelation that trips sponsored by foundations and nonprofit corporations let lawmakers sneak around the $290 gift ban. 'Fraid not. The most startling revelation was about Assemblyman Steve Baldwin (R-El Cajon), the ultra-conservative San Diego Republican. Baldwin's gift list included a little slice of boomer heaven from Sprint — tickets to see the Rolling Stones. Now just the mental image of Baldwin — the white guy's white guy — getting down to Mick and the boys is priceless enough. But add to that the fact that one of the signature songs of the Stones' career is titled "Sympathy for the Devil." Imagine the moral dilemma for a man who once claimed that the U.S. Air Force had employed an "official witch." Hoo-hoo!

Culture shock. Looking for an update on Mark Twain's classic "A Connecticut Yankee in King Arthur's Court?" How about "A California Liberal in the Court of the Good Old Boys." Assembly Speaker Antonio Villaraigosa clearly got the cultural bends during a trip to Texas to speak to the state Legislature. For one thing, Villaraigosa was struck by how comfortable Texas lawmakers were with their proximity to Mexico — a comfort that included fluency in Spanish. "Here were these guys with their big old hats and big old belts coming up to me saying, 'Hola, Tony' and speaking not just a few words of Spanish but communicating." He compared these bilingual Bubbas to Assemblyman Peter Frusetta (R-Los Pinos), another cowboy-hatted conservative who speaks Spanish. Villaraigosa also wryly noted the informality with which the Texans addressed him, especially House Speaker James "Pete" Laney. "I was calling him 'Speaker Laney,' and he was calling me 'Tony.'" But while he tried to be ever-courteous, he was also still a "large 'D' Democrat" when it came to the subject of Texas Governor George W. Bush, the current GOP presidential rage. Villaraigosa passed on a chance to meet the guv, savvy to the possibility that a photo of the meeting might wind up in some of Bush's future campaign material.

"Law stands mute in the midst of arms."
— Cicero

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Excerpts:

Millennium Nostalgia

Today's inescapable mania over the dawn of the new millennium leaves us feeling like we're stranded at a fork in the Yellow Brick Road, impossibly trying to choose from one of two paths: the future or the past. Here, we indulge in the latter, having unearthed at a traveling antique expo a November 1899 copy of **"The Land of Sunshine,"** a paperback-sized California magazine edited by Charles F. Lummis.

Those were days when a magazine sold for ten cents a copy. The ads, as much as anything else, were signs of the times, with a furniture company hawking mail-order services with the slogan "The Government is to be trusted, and so are we." Lummis, in his writings, revealed an appreciation of multi-culturalism that is far less forced than today's. Of Mexico's President Porfiro Diaz, he writes, "this creator of modern Mexico [...] whose statesmanship secures his position as one of the ten greatest rulers in all human history..."

Later, Lummis mulls over "What *should* we give the Indians?" He writes, "The Indian needs no salary-fattened school of ours to teach him to be a human being. What he does need is enlightenment how to live without being crowded off the earth by the newcomers, some of whom turn loose a Winchester at him, and some the more deadly methods of a calculating 'philanthropy'." One hundred years later, Lummis still enlightens.

— Cynthia H. Craft

WebRover:

www.huh?gov.

Let's say you've decided to become an informed voter. Your local paper says your congressman is shopping a new plan to shift more river water to homebuilders in the developing foothills. What gives? You go to your congressman's website to find out. (Actually, you go *first* to the Center for Responsive Politics — **www.opensecrets.org** — to browse through campaign contributions from developers, land speculators, builders, suppliers and the like.) At **www.house.gov/doolittle,** U.S. Representative John T. Doolittle (R-Rocklin) offers little illumination. But it is known that the congressman wants $200 million to fund the water shift. In exchange, he'll agree *not* to block flood control measures for his district. (It's a long story.)

You're about to leave the website but something catches your eye. You scroll down past links to floor speeches and how-to-buy-an-American-flag, past the congressional directory and the oath of office, to rest your cursor on the provocative phrase, "Human Cost of Government." Okay, you say, I'll bite. You click. You find a quote by George Washington: *"Government is not reason, it is not eloquence, it is force; like fire, a troublesome servant and a fearful master."* Centered at the top of the page is this other, stark bit of information (you have to be there for the full effect.):

Number of People Killed by Their Own Government

China	80 million
Cambodia	3 million
U.S.S.R	40 million
Germany	10 million

Once again, you marvel at the potential of the World Wide Web to inform and entertain.

— Cynthia H. Craft

Quotables.....

"Snap out of it!"

— Sharon Davis to husband and Governor Gray Davis, when he grew depressed at constant demands by constituencies for him to deal with *their* problems *first.*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Follow the Money:

Travelin' on Big Daddy's Dime

Argentina. Brazil. Chile. Maui, Hawaii. Sydney, Australia. The Great Barrier Reef.

Hardly places where you'd expect to find California's state legislators in Rodin-thinker-like pose, ruminating about energy, economic and environmental policy. Yet these exotic locales are precisely where a couple dozen of them could be tracked down late last year, courtesy of corporate sponsors who fund the nonprofit groups that hosted the lawmakers.

On paper — actually, disclosure statements filed with the Fair Political Practices Commission — eight lawmakers toured three Latin American countries for 14 days as guests of the California Foundation on the Environment and the Economy. In reality, the November 1998 trip — which included meetings with foreign officials, touring transportation systems and a three-day holiday at an Argentine resort — was underwritten by such energy and utility giants as AT&T, Chevron and Southern California Edison that fund the foundation. Cost: $64,000. Another eight lawmakers spent five days in Maui in December 1998 as guests of the Pacific Conference, a nonprofit group funded by Arco, the Dow Chemical Company, Southern California Edison, Pacific Gas & Electric, Johnson & Johnson and Philip Morris. Cost: $5,000. And two legislators jet-setted in late September 1998 to Australia with the American Legislative Exchange Council, a nonprofit conservative group funded by 300 major companies including Chevron, Coors, State Farm Insurance and R.J. Reynolds Tobacco Company. Cost: $8,000. Such jaunts are educational, Assemblywoman Marilyn Brewer (R-Irvine) told the *Orange County Register's* Mark Katches, who reported on the trend this spring. "They have the appearance of a junket but I know so much more having been there." Like how to unwind on the special-interest dime? Another Assembly member, Dick Ackerman (R-Fullerton) explained that he felt justified using campaign funds to pay his wife's expenses to accompany him on the Hawaii junket. "It was a legislative expense," he told Katches. "We believe in family values." Yet another got caught failing to disclose the travel expenses as required by law, the *Register* said. Assemblyman Howard Kaloogian (R-Carlsbad) was quoted as saying ,"You can report things if you want to. I suppose if push comes to shove, it doesn't hurt." Democratic Assemblyman Lou Papan was nonplussed about his acceptance of a 12-day, $2,417 trip to Greece. "It was a junket," he said. "I don't mind admitting it was a junket." That's telling it like it is.

— Cynthia H. Craft

By the numbers

Those were the days: 1899 stats

1.5: Million fruit trees growing in LA County

200: Miles covered by L.A. street car routes

14: Miles of paved streets in L.A.

11: Number of railroads servicing L.A.

24,766: Public school enrollment in L.A.

13,589: Population of Orange County.

200,000: Population in L.A. County.

6,000: Population of Santa Barbara County.

Source: "Land of Sunshine" magazine. Volume XI. No. 6. November 1899.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

letters

Rice burning

Your recent article on rice-straw burning (see "Talking Points," *CJ*, March 1999) lacked fact and perspective. The bill in question (SB 318) will result in cleaner air by reducing rice burns from 125,000 to 90,000 acres in the fall, when air quality is at its worst. It was approved with broad, bipartisan support in both houses of the Legislature, including from some of the most ardent environmentalists. It also was supported by Californians United Against Rice Burning, the Audubon Society and the California Waterfowl Association.

In addition, rice farming was threatened by a disease that could only be controlled through burning. Three years ago, the world's worst rice disease — rice blast — was found in California rice fields, and because there are no fungicides registered for use on rice in California, farmers have no chemical alternative to burning. Without immediate and comprehensive field sanitation, California rice growers would become extinct and their fields converted to growing cotton. In fact, the cotton industry has invested at least $10 million in Northern California in anticipation of that taking place. This potential transformation could have unintended consequences for the environment and prove a disaster for the state's — and the nation's — waterfowl population. Our state has lost 95 percent of its historic wetlands. Sixty percent of our Pacific waterfowl population, representing 25 percent of all North American waterfowl, depend on Sacramento Valley rice farms for habitat. Cotton currently has over 160 pesticides registered for use, with no habitat benefits and enormous potential to increase pollution in the Sacramento Valley.

MIKE THOMPSON
Member of Congress
1st District

Recruiting teachers

The challenges inherent in alleviating California's teacher shortage cannot be addressed with a "quick fix," but need a multi-faceted problem solving approach.

The California Commission on Teacher Credentialing has adopted a plan to address the teacher shortage. In 1996, the Commission, the California Department of Education and the California State University Institute for Education Reform convened a Statewide Task Force on Teacher Recruitment. The resulting report, "Shaping the Profession that Shapes California's Future: The California Statewide Teacher Recruitment Action Plan," addresses three strategic areas in teacher recruitment and retention:

- Expanding the pool of prospective teachers;
- Strengthening the pipeline into teaching across the career continuum; and
- Removing unnecessary barriers to teaching careers by undertaking related changes in state programs and policies.

The Commission has also focused attention on teacher retention through programs that strengthen support. Policy efforts continue this year in all four areas.

Because the quality of a child's education is inextricably linked to the preparation of the teacher and the quality of instruction, the commission has worked closely with other government entities to create a comprehensive strategy to improve teacher supply and quality.

TORRIE NORTON, Chair
California Commission on Teacher Credentialing

Your story on recruiting teachers (see "Teachers Wanted," *CJ*, March 1999) was a fine piece of journalism, but it could have had another chapter. You also need to hear from regular, temporary and mentor teachers. As someone who has spent many years as a school volunteer, I know how much paperwork is heaped upon teachers and staff. Besides just educating students, instructors must be able to determine "political correctness," "sexual harrassment," and disabilities both mental and physical. And they must do all this at the same low salary and with parents breathing down their necks. Who would want the job after spending four-plus years in college, and then accepting a position that receives so little respect?

P.J. THOMPSON
Hayward

Governor Davis

Steve Scott quotes Phil Isenberg (See "Devil in the Details," *CJ*, April 1999) as fatuously stating that "only people concerned about the pace of appointments are applicants. [...] interest groups supporting candidates, gossip mongers, [...] and reporters."

Wrong, Phil. You have been isolated in state government so long that you forget its purpose. To provide service or public protection. When regional water boards do not meet for four months for lack of quorums, businesses large and small, as well as public agencies requiring approvals relating to water protection regulation, suffer substantial delay that translates to dollars and jobs.

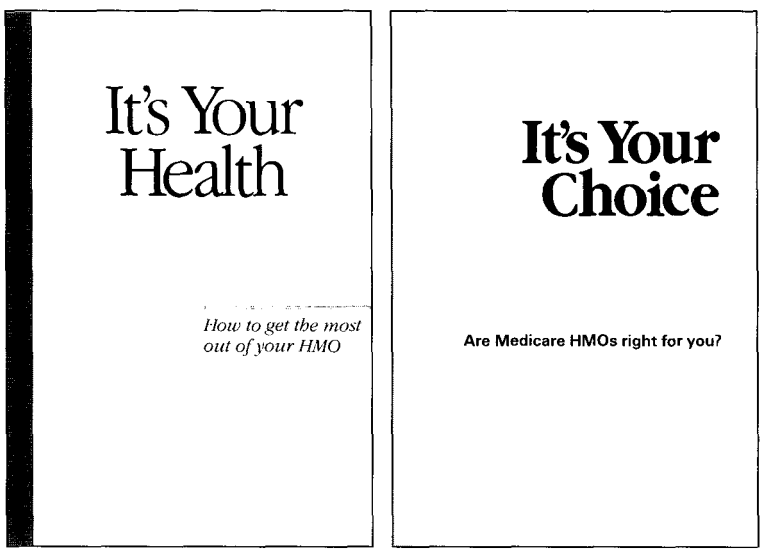
We have urged Governor Davis to make government and his administration work by filling such vacancies which now drag, in some instances, into May.

AL BETRAMI
Executive Director
Mendocino County Employers Council

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

It's Your Health...

...and that's why Consumer Action, a national non-profit advocacy and education organization, has developed two guides to help consumers make the best choices when it comes to their HMOs. For people in Medicare, Consumer Action developed "It's Your Choice: Are Medicare HMOs Right for You?" This 27-page guide was written by Consumer Action in collaboration with the Gray Panthers and the National Consumers League. For members of employer-sponsored plans, Consumer Action offers "It's Your Health: How to Get the Most Out of Your HMO," available in Chinese, English, Korean, Spanish and Vietnamese. Consumers can call 1-800-929-1606 to find out how to get a free copy of either guide. Both publications also are available online at www.consumer-action.org or at www.pacificare.com.

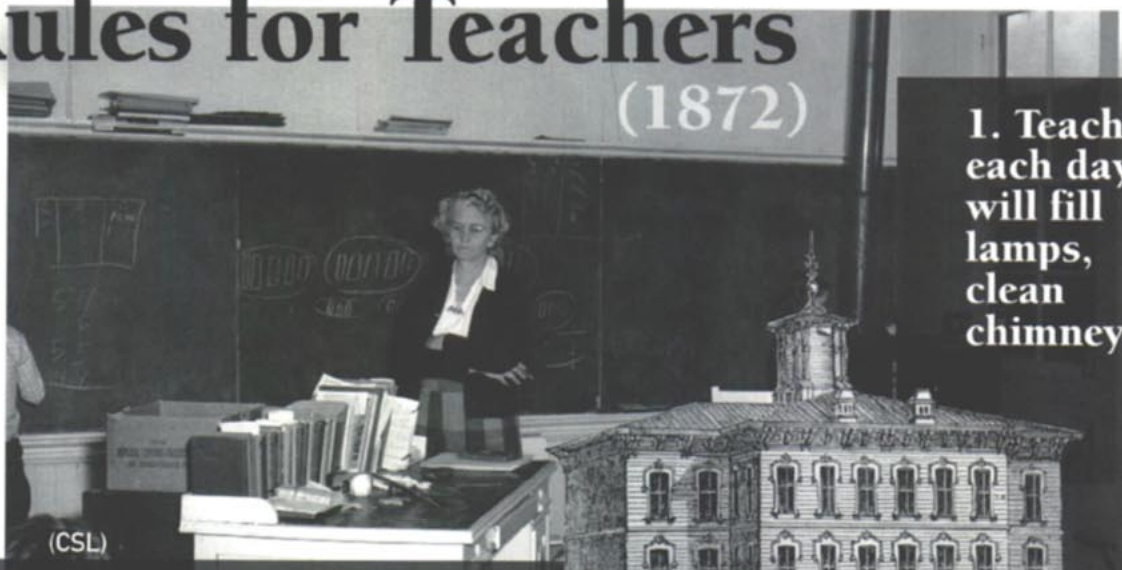


The health care consumer who knows the most, benefits the most.

Funding for this project was provided by PacifiCare Health Systems.
For information on these guides, and how legislators or community based organizations can order free bulk copies, call Consumer Action at (415) 777-9635 or (415) 624-8327.

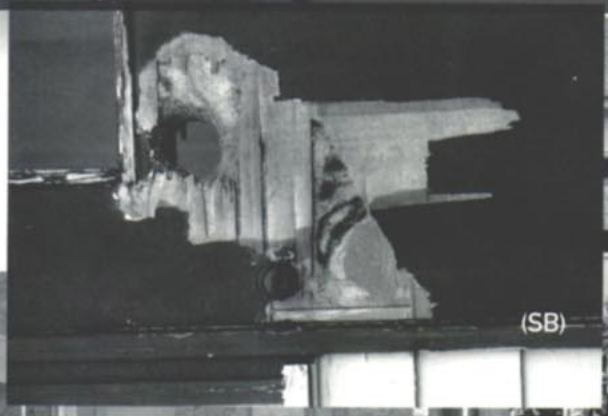
LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

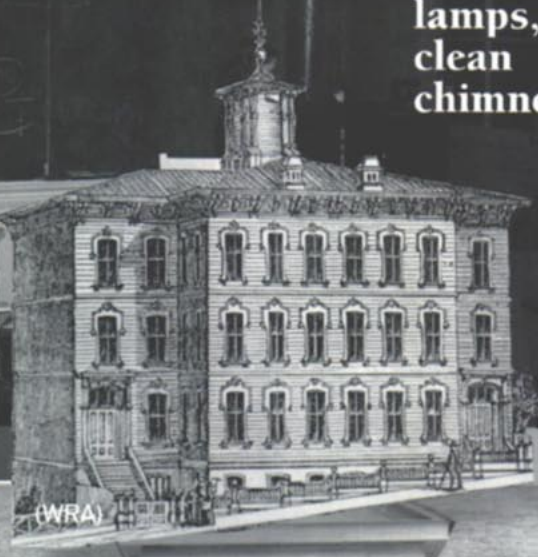
Rules for Teachers (1872)


(CSL)

1. Teachers each day will fill lamps, clean chimneys.

2. Each teacher will bring a bucket of water and a scuttle of coal for the day's session.


(SB)


(WRA)

(CSL)

(WRA)

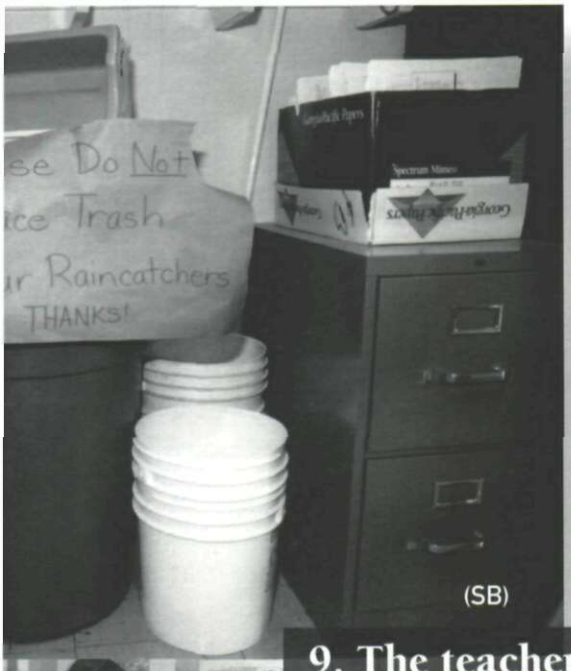
(WR

(CSL)

4. Men teachers may take one evening each week for courting purposes, or two evenings a week if they go to church regularly.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

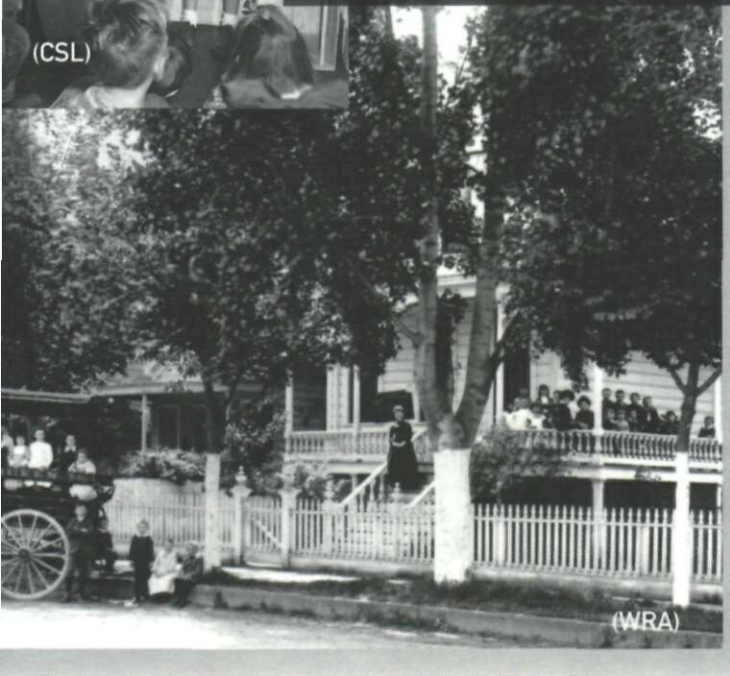
Tracing the roots of teacher tenure



(SB)

9. The teacher who performs his labor faithfully and without fault for five years will be given an increase of twenty-five cents per week in his pay.

(CSL)


(WRA)

Photos in this article are courtesy of the Wilson Riles Archives and Institute for Education (WRA), the California State Library (CSL), the California Teachers Association and photographer Scott Buschman (SB)

Decades ago, schoolteachers were denied reasonable freedoms and equality. Discontent over near-tyrannical work conditions built up until, finally, a movement sprouted to protect teachers from getting fired due to frivolous rules. From this wave of labor activism came today's promise of tenure for teachers — a protection that many reformers now feel has outlived its usefulness.

By Sigrid Bathen

In 1986, after school officials in El Cajon spent several years documenting more than 400 reasons why high school English teacher Juliet Ellery was unfit to teach, the school district fired her. But it took eight years and more than $300,000 for the district to win its case. After two decades in the classroom, Ellery hardly ever lectured, gave baffling assignments, belittled students and ignored re-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

peated efforts by the high school principal to get her to improve.

"I had never seen a teacher that bad," said Principal Arthur Pegas, who spent four years documenting Ellery's performance. "The thing that was most damning about her was the complete unwillingness to accept any reason to change."

Although angry parents removed children from her classroom — overburdening other teachers who took up the slack — Ellery appealed her dismissal and stayed. In 1994, the firing was upheld 2-1 by a Commission on Professional Competence after a 14-day hearing with 44 witnesses and 85 exhibits. Out of the classroom for a year by that time, Ellery was still being paid her $41,200 salary. The teachers union commission member voted to retain Ellery, calling the charges against her "nitpicking."

Ellery said the charges represented nothing more than opinions, exaggerations and lies. After she was fired and her credential suspended for a year, she worked as a substitute in San Diego public schools. She was eligible to teach again when her credential suspension ended in November 1995. It is not known where, if anywhere, she is working today.

Two years after Ellery's dismissal, in the small Lassen County community of Susanville, longtime science teacher and coach Edward F. Murin finally agreed in 1996 to surrender his teaching credential in exchange for having accusations against him dropped by the state Commission on Teacher Credentialing. Those charges accused Murin of pushing a student sitting on a bleacher, grabbing a student by the neck and trying to block a diabetic eighth-grader in need of sugar from reaching for a soft drink in his backpack. Murin, who taught in Susanville for 22 years, was the subject of numerous parent complaints ranging from racism to abusive behavior. The decade-long legal battle to remove him cost taxpayers $1 million.

'Sit your asses down'

A recent San Bernardino case prompted a school principal to spend three years, from 1993 to 1996, documenting the conduct of a teacher who, "by all accounts," according to a *Riverside Press-Enterprise* report, "was a textbook case of a lousy teacher." Her answers to questions about math, spelling and grammar were wrong. She left students unattended and enforced discipline with coarse directives like "shut up" and "sit your asses down." Instead of teaching social studies one day, she showed the R-rated movie "Speed" to

The teachers' unions under fire

As school reform is increasingly tied to classroom performance, California's powerful teachers' unions face tough new challenges — not the least of which is fending off a public growing impatient with those defending the status quo.

By Sigrid Bathen

When Mary Bergan first became an activist in the local chapter of her teachers' union in the late 1960s, she was teaching junior-high school English in Pittsburg, California, and pulling down a flimsy annual salary of less than $6,000. At the time, the union that drew Bergan's interest and deepening involvement was the California Federation of Teachers, a traditional labor coalition built on the tenets of collective bargaining.

Soon, however, another statewide teachers' union rose in force — posing a counterpoint for CFT and Bergan,

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

her fifth-and sixth-graders. She once dispatched a fourth-grader to her car to get a large butcher knife. She called two young boys in her class "gay."

It cost the San Bernardino City Unified School District $100,000 in legal fees to cajole the 20-year veteran teacher into resigning — she walked away with a settlement of $25,000.

The case left Joseph J. Woodford, an assistant San Bernardino superintendent, figuratively shaking his head at how deeply entrenched and protected public school teachers are. "Tenured teachers in California have the greatest protection for employees of any occupational group except federal judges," Woodford told the *Press-Enterprise*.

Such cases are often cited in the horror stories that call into question the value of teacher tenure laws allowing educators to hang onto their positions more or less indefinitely. Defenders of these job protections, however, caution against using these isolated worst-case-scenarios to paint the profession with a broad brush. There are good reasons for teacher tenure laws, they say, and many of those reasons spring from the workplace indignities suffered by many teachers for decades.

There was a time, for instance, when a female school teacher who dared to marry would get for a wedding present a dismissal from her post. Women were not allowed to wear pants, have bare legs under their skirts, be out on the streets after a certain hour of the evening, and so on. For disobeying any of these rules — or, as most people would see it, for exercising basic freedoms — teachers could be fired on the spot. It wasn't long before teachers joined forces to secure more rights in the workplace and bring an end to practices that discriminated against women and others.

Battle for rights

Laws protecting teachers' jobs originated in the 1920s, with their roots partly in the women's rights movement of the era — even today, more than 70 percent of teachers in Californian are women. "They [due process laws] were a direct result of teachers banding togehter to put an end to what they thought were arbitrary and abusive practices in school districts that would summarily dismiss teachers without good cause," says Scott Plotkin, chief consultant to the state Senate Education Committee.

While most teachers, particularly in the elementary grades, are women, most administrators always have been and remain disproportionately male and white. Although the number of

who ascended from local activist to Capitol lobbyist to president of the California Federation of Teachers and a vice-president of its national parent, the American Federation of Teachers. Today, it is this other, larger organization — the California Teachers' Association — that is *the* muscle behind the considerable political clout teachers have in school districts and the state Capitol.

"When I became active, 'the teachers union' meant the American Federation of Teachers," recalls Bergan. "Then there was 'the association,' which was the California Teachers Association."

The federation, says Bergan, had always supported collective bargaining. It wasn't until the early 1970s that the CTA followed suit. At the Capitol, both the CFT and the CTA paved the way for teacher advocacy, drawing up wishlists of legislation and presenting them to lawmakers.

"We started introducing bills, and then we [the two teachers' groups] started working together, which wasn't always easy," says Bergan, "but we managed."

Often regarded as a monolithic whole, the "teachers' unions" are actually these two unions, the CFT – which, as Bergan points out, was always, first and foremost, a labor union – and the CTA, launched as a professional association of teachers banding together to improve and protect their field.

Like the California Federation of Teachers' link to its parent organization, the California Teachers Association is affiliated nationally with the National Education Association (NEA). On the local level, some chapters, notably the United Teachers of Los Angeles and the United Educators of San Francisco, include members of both unions; The Los Angeles group is a "merged" union, and members may affiliate with whichever statewide union they choose, while teachers in the San Francisco chapter belong to both.

A widely publicized movement on the national level last year would have merged the AFT and the NEA — had it been successful. But it was shot down by some NEA chapters uncomfortable with the governance structure and longtime labor-union persona of its counterpart. Although the California delegation of CTA supported the merger — and CTA President-elect Wayne Johnson is a former president of the "merged" Los Angeles organization — the proposal fell victim to opposition by more conservative state associations, including some non-collective bargaining chapters in southern states.

"I believe it failed because the agreement put before the NEA convention last year didn't address many things that are very near and dear to NEA hearts, including term limits, not having a president for life," says Johnson, who taught high school social studies in West Los Angeles for 27 years and was a union activist from his early years in education. "There is a very strong culture in the NEA [supportive of] term limits, which used to be a year and is now two and three years."

And then there was the attitude, common to other so-called "white-collar" unions such as physicians' groups, that, well, labor unions are for factory workers, not college-educated professionals. "Some people get a little huffy and say we [CTA] are a professional association," says Johnson. "We're college grads, we're well-educated."

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

women principals has increased substantially in recent years — to about half of all principals — the percentage of women superintendents is still comparatively small, about 25 percent, according to the Association of California School Administrators.

Job actions against teachers can range from counseling to the rarely used termination procedures. Often, poor teachers simply leave — as do good teachers who get frustrated by the sometimes overwhelming requirements of their profession. The result is a shrinking teacher pool and high teacher attrition in many districts, especially those with a large number of poorly performing schools in crumbling, gang-infested inner-city neighborhoods. One lawyer who handles numerous school-district discipline cases recalls the instance of a teacher, overwhelmed by a class of ill-fed, impoverished, often rowdy and undisciplined kids, who marked "F's" on student report cards – followed by a "U" for unsatisfactory conduct and the words "disgusting child" in the space for "teacher comments."

"Reading across the report card, parents would see 'F,' then 'U' then 'disgusting child'," the lawyer recalled. "Actually, he cleaned up his act after the district took action against him. A performance plan was put in place, and now he's a pretty good teacher."

Lack of control

Other cases noted by legal experts in the mushrooming field of education law frequently hinge on a teacher's inability to control a classroom – sometimes out of inexperience, but often the result of burnout, substance abuse or mental illness. In one case, a teacher was living out of her car with her daughter. She was unkempt, rarely bathed, and her kindergarten classroom reeked. Mentally ill with a mentally retarded daughter, she left teaching and was referred to mental health services. In another, school officials went to the classroom of an elementary school teacher because of a horrific din coming from the classroom – the sound of kids yelling and jumping on their desks. The teacher, apparently emotionally unable to deal with her class, was curled up in the fetal position in a corner of her classroom. She quit on the spot.

Neither teachers nor school administrators disagree with the widely held belief that California's classrooms are host to a range of poor teachers, and that it is sometimes difficult under current law to force improvements in their performance, or to force them to "find another line of work," as Governor Gray Davis has said. But the unions part company with critics who contend the profession is rife with failures and that California's teacher tenure laws protect incompetence — though they agree the complex and expensive

Mary Bergan

President, California Federation of Teachers
Born: Sept. 13, 1941, Kinosha, Wisconsin
Hometown: Winthrop Harbor, Illinois
Education: B.A. in English, University of California, Berkeley, 1965; secondary teaching credential, UC-Berkeley, 1968

Professional: Peace Corps volunteer in Malaysia, 1965-67; English teacher, Hillview Jr. High School, Pittsburg, California, 1968-71; California Federation of Teachers, field organizer (1971-72), legislative director (1972-91), president (1991-present); vice-president, American Federation of Teachers; member, AFT K-12 Faculty Program and Policy Council; vice-president, California Labor Federation, AFL-CIO, chair of Education Committee; named one of California's top five lobbyists in a 1978 *California Journal* poll.
Personal: Single, no children.

However, Johnson notes, "A lot of folks, including myself, come from blue-collar backgrounds – my father was a member of the United Auto Workers."

Given the heated political climate surrounding education reform throughout the country – and the enormous influence the 3 million members of a combined national teachers' organization would wield — the merger talks are far from over. The leadership of the two big unions had agreed in principle to join forces early last year, citing "assaults" on public education as a major factor in their decision. "We want to save public education and improve it," said AFT president Sandra Feldman. "Not to work in a united way makes no sense," said NEA President Bob Chase.

The day after the NEA rejected the merger at its July 1998 convention, NEA delegates left open the door for lower-level mergers to occur by establishing a process to allow state affiliates to combine forces. National talks are continuing, and the two unions generally present a united front on key legislative and policy issues, although major structural differences remain in the way the two unions are run.

So far in California there is no indication when or whether the CTA and the CFT might merge.

Privately, some state educators say the CFT is more inclined than the CTA to agree to tougher professional standards for teachers, more willing to work with administrators to solve policy disagreements. "The CFT has been much more focused on issues that had to do with student accountability and peer review, whereas the CTA was much

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

legal requirements for dismissing a tenured teacher could be simplified.

"If there were no due-process protections, there would be firings all over the place," says California Teachers Association President-elect Wayne Johnson. "My concern is that when teachers are accused of something, whatever it is, they get due process. It can become very political in some communities." Still, Johnson concedes, "The teacher-dismissal process could be streamlined."

Amid the newfound interest in reforming and upgrading schools comes a growing concern among teacher advocates that not enough is being done to improve the stature of teachers. "There are lots of new dollars coming to schools," says California School Boards Association lobbyist Kevin Gordon, "but the bulk of it is locked into specific categories, such as class-size reduction. It's not available for salary increases." And, Gordon said recently, many districts "are poised for collective bargaining problems" as teachers demand a bigger slice of the education pie.

$6,000 a year

Since the 1960s and '70s, when new teachers were paid annual salaries of $6,000, demands for higher beginning salaries have been at the heart of union organizing efforts. Today, beginning-teacher salaries hover in many districts around $25,000, though experienced teachers can make upwards of $50,000 or even $60,000. A recent *Sacramento Bee* survey of teacher salaries shows annual pay starting at $27,852 and the statewide average as $44,485.

Even the most virulent, unforgiving critics of the public schools believe the vast majority of teachers mean well, care about kids and want to do a good job. The nettlesome questions about teacher competence – and growing pressure to get the bad apples, as it were, out of the teaching barrel – stem from increasing public dissatisfaction with schools plagued by poor student performance, as well as a few high-profile cases — such as those cited above — of rank teacher incompetence. Then there is the vast, shifting middle ground of teachers who are neither extraordinarily good nor truly lousy, simply continuing to do what they've always done, without much imagination or vision.

"Most teachers want to do a decent job," says state Board of Education member Marion Joseph. "But teachers are not given the knowledge or the skills they need to succeed in the classroom." Like many state educators, she places blame largely on California's beleaguered teacher-training programs, which are mainly the responsibility of the California State University system. "I'm not persuaded the problems are so much about the

more resistant," said Gary Hart, a former teacher and state senator who as Gov. Gray Davis' education secretary successfully pushed the governor's education reform package through a special legislative session. "But I've seen much more openness on the part of the CTA to be a part of this process, instead of just in opposition."

Whatever members choose to call their affiliation – "union" or "association" — the fact is that the CFT, which represents 90,000 teachers and other school employees, and the 295,000-member CTA, wield major political clout in California contributing huge sums to candidates for public office and, until recently, holding a virtual stranglehold on any legislation deemed threatening to teacher job protections.

CTA regularly ranks among the top 10 contributors in major statewide races, according to the California Voter Foundation. CTA was the top contributor to Governor Gray Davis — nearly $1 million by last November 3. CFT contributed substantially less — a mere $76,800.

As state legislatures and governors throughout the country clamor for significant changes in teacher-tenure laws, and some states begin to opt for less stringent contractual arrangements with "fair dismissal" clauses, the clout of the California teachers' unions is likely to be tested as never before.

At this point, any direct legislation over teacher tenure appears unlikely. What is certain is that the teachers' unions that have fought for decades to ensure strong collective bargaining protections are not inclined to retreat from that stance.

Wayne Johnson

President-elect, California Teachers Association
Born: May 21, 1940, Oak Grove, Missouri
Hometown: Oak Grove, Missouri
Education: B.S. in education, Missouri State College, Warrensberg, Missouri, 1962; secondary teaching credential, University of California, Los Angeles, 1964.

Professional: teacher, Hamilton High School, West Los Angeles, 1962-84, 1990-99; named "favorite teacher" several times by Hamilton High senior class; United Teachers of Los Angeles, member House of Delegates (1970-76)and Board of Directors (1976-84), president (1984-90); vice-president, California Teachers Association (1995-99), president-elect (takes office June 1999).
Personal: married, two grown sons (both graduated from Hamilton High School).

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

[teacher] unions," Joseph added. "The problems are much greater. And improvement will be difficult until we make major changes in the way teachers are taught."

Experienced teachers say much can be done to help inexperienced or failing teachers improve, but the unions caution against loading up mentor teachers with more responsibility for helping their peers without giving them more time to do it. Veteran teachers, they say, should be called upon early — during the hiring process — not just on the negative, disciplinary end of the stick. For that reason, teachers unions had serious reservations about the "peer-review" portion of the Davis' education-reform package just rushed through the Legislature in special session. Although the measure veers far away from dealing with the more central issue of teacher tenure, it does require districts to establish peer-review programs for veteran teachers to evaluate other teachers and penalizes districts that fail to follow through.

Getting rid of them

"I'm told what, when, where and how to teach," says the California Teachers Association's Johnson, a West Los Angeles high school teacher for nearly three decades and former president of United Teachers of Los Angeles. "When that doesn't work, they want me to clean up my own profession. Fine, but they have to give me the corresponding authority to hire people. Right now I have nothing to say about college curriculum or who gets hired. I only get brought in when they want me to take disciplinary action against my colleagues."

"Parents run into a [teacher] who isn't quite up to par, and ask, 'How do we get rid of this person?'," says Mary Bergan, president of the California Federation of Teachers, "but our real challenge is to find and develop the good teachers that we need, from the beginning, and as people go into their careers. This idea that someone comes *totally prepared,* here's your classroom, here are your kids – it just doesn't work."

Case study: Origins of tenure

A closer look at the story of Mary Louise Phillips and her beau, Wilson Riles, illustrates the dilemmas and rigid codes of behavior that gave rise to teacher tenure.

By Sigrid Bathen

Mary Louise Phillips was a young elementary school teacher in Arizona in the fall of 1941, teaching her first class of third-graders. She was spending a lot of time with another young teacher, Wilson Riles, who made the long drive to Phoenix every weekend from the tiny northern Arizona sawmill town of McNary, where he taught in a one-room schoolhouse on land leased from an Apache Indian reservation. It was years before integration, and both taught in segregated black schools.

"Wilson wanted to get married," she recalls, "but I knew I would immediately be fired, because at that time women teachers in Phoenix were not allowed to be married. I had just gotten my first job, and I didn't want to leave it, but Wilson was tired of going back and forth." Once, he fell asleep on the seven-hour drive from Phoenix to McNary, nearly flipping the car on the winding mountain road. On Nov. 14, 1941, they eloped, keeping the marriage a secret for a couple of months. "I was finally persuaded by my family that no job was worth that."

American School Board Journal, Dec., 19
Courtesy of California Federation of Teach

Two months later, she resigned to join her husband in McNary, where they both taught in a one-room schoolhouse that did not prohibit female teachers from marrying.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Few teacher-dismissal cases actually reach an adjudication hearing before a three-member Commission on Professional Competence, which includes one representative each for the teacher and the school district seeking the dismissal, as well as a state administrative law judge. Critics of the current system, established by state law in the early 1970s, say it is unwieldy and grotesquely expensive, "one of the most complicated civil legal matters anywhere," said one experienced school district lawyer who, like many others in this politically charged legal minefield, asked not to be identified.

Cases involving potentially criminal behavior – such as sex or drug charges against a teacher, which may or may not be prosecuted criminally depending on the nature of the evidence – generally result in the teacher resigning. "If there is a [criminal] conviction, it's a piece of cake," said that lawyer. "They're gone." Few dismissal cases get as far as a commission hearing, partly because the procedure is so time-consuming and expensive. One education lawyer said attorneys' fees can easily exceed $100,000 in a dismissal case.

In one of the first legal test cases challenging the firing of a teacher for "unsatisfactory performance" – which recently replaced "incompetence" on the statutory list of acceptable reasons for teacher dismissals — costs are estimated to run as high as $500,000. The case hinges on the dismissal of Capistrano Valley High School social studies teacher Paul Pflueger, who was accused by the school board last February of 42 charges of abusive and intimidating behavior toward students, failing to follow state curriculum guidelines and arbitrary grading policies. According to Ron Wenkart, chief counsel for the Orange County Department of Education, the last time his office took on a teacher dismissal case was in the mid-1980s. "The cost is tremendous, and it discourages districts from dismissing some teachers who might be borderline or below average," Wenkart told the *Orange County Register*.

Louise and Wilson Riles

The rest, of course, is California education history. Riles, who died last month at 81 (see page19), rose to become state Superintendent of Public Instruction in 1970, the first statewide black elected official in California.

In Sacramento, Louise Riles continued to teach third-graders until her husband's election. But she never forgot those early years in Arizona, when a well-educated young female teacher was treated like school property, dismissed at will, and black teachers of either sex could teach only in underfunded, substandard segregated schools.

'Rules' for Women Teachers

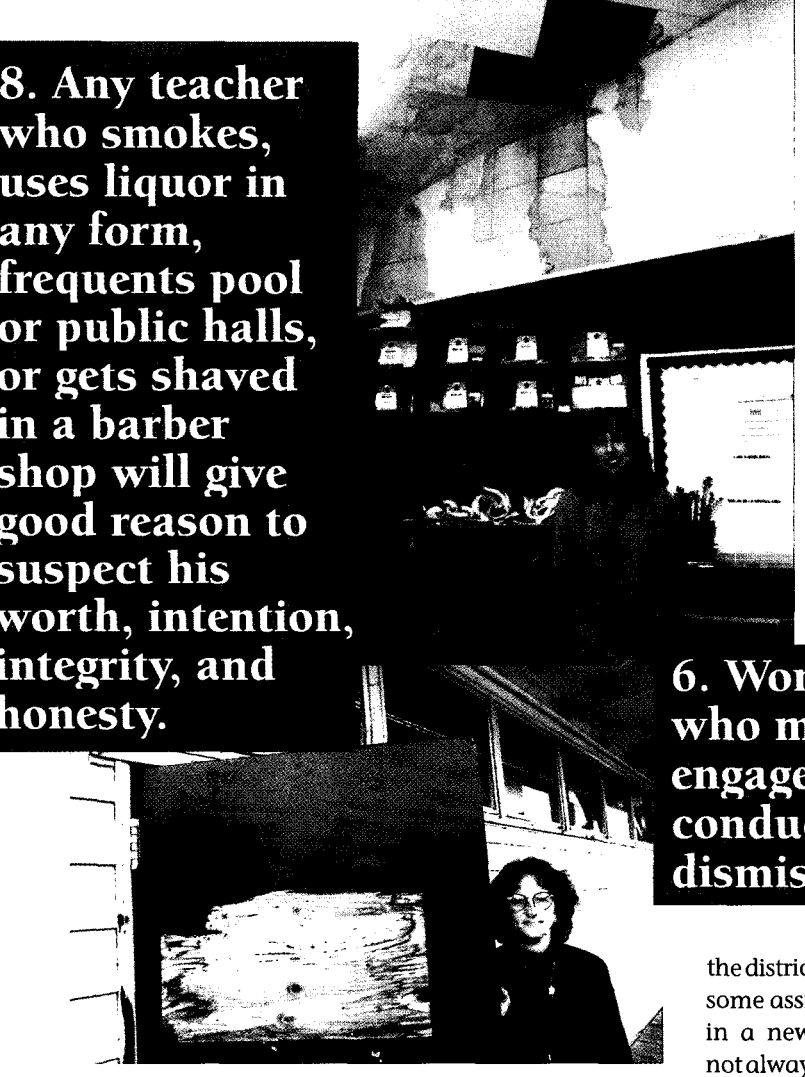
Today, the strict codes of behavior from the first part of the century are the stuff of legend. "The rules for women teachers ranged from not having men in your home, and you can't be married, to the hours you could be out on the street," says Rick Simpson, Governor Gray Davis' legislative secretary. "It seems sort of quaint today, but it also spoke volumes about the perceived roles of professional women." Women teachers were told how to dress (skirts below the ankle), organizations they could not join (women's suffrage groups). They could be – and were – fired for any reason, or no reason.

Critics of teacher tenure – the teachers' unions prefer the terms "due process" or "permanent status" – often forget that the origins of job protections for teachers, the *raison d'etre* for the rise of the powerful teacher unions, were rooted squarely in the experiences of teachers like the young Mary Louise Phillips.

"I remember fights over whether women could wear pants to work," said California Teachers Association President-elect Wayne Johnson, a high school teacher in West Los Angeles for nearly 30 years and former president of United Teachers of Los Angeles. "On hot days when we didn't have air-conditioning, there was a memorandum that women also had to wear hose. That precipitated some really knockdown-dragout fights, and we won all of those. Those are things that unions have won for teachers over the years that nobody even thinks about. We get beat up for protecting all those 'incompetents'."

Mary Bergan, president of the California Federation of Teachers since 1991 and the CFT's longtime principal lobbyist, recalls the veritable wall of sex discrimination and arbitrary employment policies she encountered when she started teaching. "There were cases where people would be dismissed because they were politically active or had spoken up at a board meeting," she says. "They would have the temerity to go before the school board and criticize the [school] administration. One of our big cases was in Pasadena to establish the right of a [male] teacher to have a beard. There was the teacher who won the right to have her nursing baby brought to her on campus during her breaks, the English teacher who wanted to use her own poetry in class. . .These were basic things you don't even think about today."

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED



8. Any teacher who smokes, uses liquor in any form, frequents pool or public halls, or gets shaved in a barber shop will give good reason to suspect his worth, intention, integrity, and honesty.

6. Women teachers who marry or engage in unseemly conduct will be dismissed.

Photos Courtesy of the California Teachers Association, Scott Bushman photographer

Ill-prepared for change

Some disciplinary actions or dismissals for poor performance by a teacher indirectly come about because longtime instructors are ill-prepared to adjust to the changing demographics of California public schools. "There are older teachers who started teaching 30 years ago who used to teach all white kids, and now they're teaching blacks and Latinos," says one longtime education lawyer. When you try to settle these cases, the teachers will admit they don't like minorities and don't want to teach them. They usually can be convinced to leave, but not always." More of those cases occurred in the 1980s, according to that source, as the state's demographics began to shift substantially, than occur today.

John Bukey, general counsel for the California School Boards Association, says the growing ranks of school attorneys "have gotten very good" at pursuing teacher dismissals, though "the time and expense are great." Often, the teacher chooses to resign rather than face disciplinary action. "Or they get bought out. The costs are high, but the districts like to give them some assistance in starting in a new occupation. It's not always that teachers are bad teachers but that the things they have to deal with are daunting. It's an enormously difficult job."

The key to disciplining or removing an incompetent teacher in any district, regardless of its demographics, is keeping good evaluation records – which in a worst-case scenario, as the El Cajon and Susanville experiences clearly show, doesn't necessarily make the process much easier. A CTA teacher discipline expert said administrators often receive little or no training in how to evaluate a teacher. "Until you do that, you can't expect to fire a teacher," she said. Recalling a training session she conducted for a group of local school administrators, she said, "There were about 50 of them at this session, and I asked them if they had even read the teacher due-process law. Not one person in that room had read it."

A 1996 study of teacher tenure by a California School Boards Association task force of school board members and lawyers recommended numerous changes in the teacher-dismissal laws, mainly to streamline the complex and time-consuming legal paper chase surrounding the process. The task force urged "added flexibility to seek intermediate disciplinary actions" short of dismissal and expansion of the current two-year probationary process to four years, allowing districts to grant permanence — permanent unemployment status — at the end of any year. The task force expressly did not recommend elimination of teacher tenure. Although other states are moving to relax the laws on tenure and make it easier to remove incompetent teachers – Oregon lawmakers, for example, eliminated permanent-employment status for teachers in 1997, in favor of two-year contracts and a "fair dismissal" process – any sweeping changes in the politically sacrosanct California tenure laws are unlikely in a state where the teachers unions enjoy enormous political clout (see "Unions Under Fire," page 12).

Blood on the wall

But despite huge financial contributions the teacher unions have made to the campaign of Governor Davis, he has not ruled out changes in tenure as part of his overall education reform strategy. California Education Secretary Gary Hart, a former teacher and state senator who has sometimes been at odds with the unions, carried a landmark bill to streamline the teacher-dismissal process in 1983. "There was a lot of blood on the wall," Hart recently said of the unions' ultimately successful battle to block the law, which was overturned in court.

"Teachers have to take more responsibility for dealing with problems that exist within the profession," Hart added. "That doesn't mean there isn't an important, maybe dominant, role for administrators to play, but teachers need to be partners in the process."

Senior Editor Sigrid Bathen covers education for the California Journal. *She can be reached at sigridb@statenet.com*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Wilson Riles: 'Reinventing the wheel'

by Sigrid Bathen

Davis Campbell recalls the time years ago when the late Wilson Riles shared an elevator with a fan who spoke gushingly of his admiration for the tall black man and his rise from poverty to become California's state superintendent of public instruction. "I've always been an admirer of yours, Mr. Bradley," the man said.

Bradley, as in Tom Bradley, the first black mayor of Los Angeles.

"He just quietly turned and said, 'Thank you, I'm Wilson Riles,'" recalled Campbell, now executive director of the California School Boards Association and a former deputy of Riles, at Riles' funeral last month in a packed Sacramento church. Trapped in the elevator with his terrible *faux pas,* the man was mortified. "But Wilson reached over, touched his arm and said, 'That's okay, I get white people mixed up too.'"

It was vintage Riles, defusing a tense encounter with humor and good will.

Despite his hardscrabble beginnings in the Louisiana backwoods where he was born — the only child of parents who died when he was a young boy — Riles learned early how to get along. Taken in by friends of his family, he attended Elizabeth Colored Elementary School in tiny Elizabeth, Louisiana, where the principal, F. Paul Augustine, believed education was the only way up and out of poverty, whose tiny school produced many teachers, a New York doctor, a playwright, an Arizona state senator – and a California state schools superintendent.

There was no high school in Elizabeth, so the extended black family at the African Methodist Episcopal Church raised $40 for young Riles to buy a suit and a bus ticket to New Orleans. There, he attended a black high school and lived with an elderly man in a one-room shack, supporting himself by delivering milk from 2 to 7 a.m.

"This was a time when for 15 cents you could buy a plate of beans," Riles later recalled.

After high school, he moved with his foster family to Flagstaff, Arizona, where he worked construction jobs and met a teacher, Cleo Murdock, who helped him apply to Arizona State Teachers College (now Northern Arizona University). He earned his way through college working in the student infirmary.

"Up to then, I didn't think white people had any problems whatsoever," he told me in a 1981 interview for *The Sacramento Bee.* "I thought they spent all their time hating me."

He became a teacher, and a principal, first in a one-room school for the children of black millworkers in Pistol Creek, Arizona. He earned a master's degree and went to work for the California Department of Education in 1958, working his way up to director of compensatory education, responsible for managing major infusions of state and federal funds to help low-income children. He insisted minority and poor children be held to the same standard as other kids – taking enormous heat in 1977 when, as a member of the University of California Board of Regents, he voted to raise academic standards.

"Wilson's vision was not only ambitious, but he implemented it, and California education was forever transformed," Gary Hart, Governor Gray Davis' education secretary, said at Riles' funeral. "His legacy is that public education be inclusive, that all children be treated with respect."

After he was defeated in a bid for a fourth term by Bill Honig in 1982, Riles started an educational consulting firm in Sacramento, working until shortly before he was hospitalized in January with the lung infection that killed him April 1 at age 81. He spoke often in his later years of how educators tend to "reinvent the wheel," failing to learn from past mistakes. As Davis embarks on one of the most ambitious education reform efforts in the state's history, there are lessons to be remembered from the Riles years.

"Americans keep looking for that one button, in education or elsewhere, they can push to make everything right," Riles said in that 1981 *Bee* interview. "The fact is, there are no simple answers. These are difficult times – financially and socially. Kids are confused. Their parents are confused. It all requires a mutual effort among parents, teachers – and kids, who too often are not consulted – to get it moving again."

Senior Editor Sigrid Bathen is a former Sacramento Bee education writer. She served as press secretary to Wilson Riles from 1981-83. Comments about this article may be sent to editor@statenet.com.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Deconstructing

While California Democrats were whooping it up at their state convention in Sacramento, nearly 90 miles away in Oakland, their state Assembly candidate Elihu Harris was busy sending out an S.O.S. signal. His campaign sensed trouble only weeks before the March 30 election. Its first urgent call for help came just two days before the election.

But it was too little, too late.

Green Party candidate Audie Bock, a 53-year-old political novice and virtual unknown, beat out veteran Democrat Harris in the 16th Assembly race by a scant 327 votes. It was clearly a milestone victory for the Greens, who now have their first member ever in a state Legislature.

But for the Democrats, it was an inconceivable blow to a party still high and heady on the November 1998 victories that gave them control

Democratic bosses were so confident in Elihu Harris' ability to retake his old Assembly seat that they appointed him a committee chair even before the special election was held. Then came a rude awakening. Voters put their feet down to reject the veteran pol in favor of the fresh face of Green Party candidate Audie Bock.

of the governorship, plus both houses of the Legislature and all but two statewide offices.

Reactions ranged from disbelief to shock as news of the defeat spread. One legislative staffer, who was out of town during the election, thought it was an April Fool's joke when she was told the results. "We were stunned," she said. "We didn't even know what hit us."

Soon came the finger-pointing and the soul-searching, as the party faithful scrambled to get a grip on what happened.

By most accounts, the upset was the result of a confluence of special circumstances: extremely low voter turnout, a vulnerable yet overconfident candidate, a sea of restless voters, a distracted Assembly leader and flawed campaign tactics.

By Emelyn C.L. Rodriguez

The chicken dinner theory

Harris, the former Oakland mayor and ex-assemblyman, had his own theories: "People could have been anti-me, pro-her or mad about the chicken dinners," he said at a post-election press conference, referring to the California Democratic Party's offer of free chicken dinners during the February primary. The dinners were meant to increase voter turnout in primarily low-income, minority areas. "It could be about individual personalities, only time will tell."

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Harris

Illustration by Sandra Hoover

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Only a month prior to the election, the 51-year-old Harris beamed with confidence. And why not? In February, he had only narrowly missed winning the Oakland area Assembly seat outright. In an interview in mid-February, Harris said hundreds of volunteers would be walking the precincts and the phone banks would be going non-stop until after the polls closed on Election Day. Yet his spartan campaign office in Oakland's Eastmont Mall appeared almost deserted that afternoon. Two volunteers we're taking turns answering calls.

Bock's campaign meanwhile worked feverishly round-the-clock. The 53-year-old community college instructor and small business owner hit the streets with her message, knocked door-to-door, introducing herself, and held discussion groups to answer voter questions. She cried foul over the Democratic Party's chicken-dinner tactics and repeatedly challenged Harris to debates. She even had her elderly mother working phone banks and taking home phone lists in the evening to make campaign calls on her behalf.

Bock said people responded to her candidacy because they wanted a voice for change on the state level and someone who would fight for more school funding, universal health care and closing corporate tax loopholes.

Questions about Harris

"People are not satisfied with what the two major parties have to offer," Bock said at her March 31 victory party. "This race reflects that dissatisfaction."

Meanwhile, Harris was clearly anxious to return to his old Assembly seat, which he held from 1978-1990, though much had changed since the days he was part of former Assembly Speaker Willie Brown's leadership team. City government, Harris said, was getting too personal. In the local arena, he said, "The collegiality and collaboration often break down to the raw practical reality of competing for limited resources in the midst of incredible demand."

At that time, political observers were calling Harris' election a foregone conclusion, citing his strong connections and wide name recognition. "I think Elihu is going to

Enter Audie Bock

Early impressions are that Bock is just what the voters wanted — an Assembly representative with a fresh and new outlook.

By Max Vanzi

Days after an improbable victory launched her farther in American politics than any Green Party member before her, Audie Bock was still laughing.

No one, it seemed, could have been gladder than Bock on the day she was sworn in as the Legislature's only representative from a minor party in 82 years — and the only Green nationwide to have captured a state-level partisan elective office.

Not that she is a stranger to success. Writer, teacher, Fulbright scholar, Bock is also fluent or near-fluent in four foreign languages. For 10 years she was professionally associated with the great Japanese film director Akira Kurosawa.

As his interpreter, "Audie Bock *was* Kurosawa" in the English-speaking world, recalled an American living in Japan. Bock translated the director's autobiography. She dealt with some of the film industry's most powerful figures while assisting in productions of Kurosawa's works.

Later, she ran her own film distribution company from her home in Piedmont near Oakland.

However, despite the weighty resume and the historical significance of the moment, here was Bock, 53, tending to chuckle a lot upon being sworn in following her upset victory over Democrat Elihu Harris in a special election to fill

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

fit real well in a term-limited Legislature because he has the experience and the know-how to hit the ground running," said Assembly Speaker Antonio Villaraigosa (D-Los Angeles) who along with the Democratic establishment had strongly backed Harris' candidacy.

It wasn't a unanimous endorsement, however, with some Democratic legislators who supported Harris' formidable primary opponent, attorney Frank Russo, vociferously dissenting. Foreshadowing what was to come, some members said they thought Harris was a weak, if not unpopular, candidate.

In hopes of boosting Harris' chances in the primary, the California Democratic Party handed out 3,800 coupons for free chicken and potato salad dinners to voters in low turnout areas including the Oakland "flatlands," whose residents are largely poor and minority.

Harris outspends 20-1

The offer did not violate state election rules because no voters were asked to support a particular candidate. But it was widely criticized and later cited as one factor that hurt Harris' election. "For a lot of people, it was offensive both on a symbolic and practical level," state Senator Don Perata (D-Alameda), a shrewd campaigner whose successful Senate bid created the Assembly vacancy. "It made it look like the Democratic Party was coming in and buying an election."

Elihu Harris

Still, in the primary, Harris fell just short of the majority needed to win the seat outright. He received 48.7 percent of the vote — just shy of the 50 percent-plus-one majority

an Assembly seat.

Speaking into an Assembly mike for the first time, Bock made it a family affair, introducing at the front of the decorous chamber her 14-year-old daughter attired in blue jeans, her parents, a sister and her boyfriend, Bill Bates.

Glee takes over

Supporters cheered and waved sunflowers and olive boughs from the Assembly visitors' seats, with fellow lawmakers Democrat and Republican alike applauding gallantly and Bock smiling hugely throughout, when not breaking into outright laughter.

She was humored, for example, by her own introduction of Bates as "my best male friend." The in-joke between them: Bates had suggested she present him to the Assembly as "my paramour."

Abounding ironies accounted for much of the wry humor and gaiety that spilled over into the Assembly speaker's reception for Bock just off the chamber floor. Here, after all, was the very presence of minor party purism suddenly plopped in the midst of a house of perpetual compromise. Green Party followers wearing a variety of greenish clothing and, among the men, forthright facial hair, strolled corridors where deals with lobbyists are the norm.

"Cogito Ergo Green" read political buttons on the plaid shirts of these first-time visitors to the state Capitol.

Out of partisan power until now, therefore out of range from corrupting influences, the Greens munched celery and spoke of world peace, of a passion for good government and why they left the Democratic Party.

"They sold out the public," said Green member Pamela Spevak of Oakland. "They got scared and moved to the right."

Sick of Democrats

Those are the circumstances, said Bock during an interview later, that drew her to the Green Party — "when I finally found it." Laughter. So small was the party apparatus in the east San Francisco Bay Area, she searched for almost a year looking for someone in charge.

She said — and here the laughter stopped for awhile — that she began the search soon after Bill Clinton's 1992 election.

As a lifelong Democrat, it was about then that "I got really sick of the Democratic Party." Its members in the Legislature had become progressively tougher on crime, including — a tone of disbelief — "taking up support of capital punishment? I don't believe in state killing."

Democrats moved toward more "centrist" views, Bock said, "but that left behind a lot of humanitarian values that were important to me." Soon, she said, the two major parties became indistinguishable.

"The last straw for me was when Clinton was elected and there was all this great hope for a new kind of caring government again.. We were promised national health care. We were very enthusiastic that it was coming to America at last. It didn't happen."

But does she blame Clinton for that? It was his proposal.

"Oh, yeah," she said, showing what happens when expectations rise, then fall. "The whole [universal health care] presentation was botched and then it was never taken up again." She said that other Greens who "went over" about the same time she did also felt betrayed.

In the Green Party platform, Bock said she found "all the values I espouse" — diversity, pro-choice, non-violence, local control, small-D democracy, "support for small businesses and healthy communities that are completely

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

needed to snatch the seat. Some said the fact that Harris failed to carry Alameda and Piedmont in the primary should have been an early warning. But no one predicted that this weakness would translate to an Election Day loss to Bock by margins of 3-to-1 in Alameda and 9-to-2 in Piedmont.

In fact, there was little reason to doubt Harris would win on March 30. The district, which includes Berkeley, Piedmont and most of Oakland, is a Democratic stronghold with 65 percent voter registration. The Green Party, on the other hand, had only 1.2 percent of the registered voters in the area. In addition, Harris outspent Bock 20-1, pouring $750,000 into the campaign compared to her $34,000.

Embarrassed bosses

So Harris' defeat came as a colossal embarrassment to Villaraigosa, San Francisco Mayor Willie Brown, who had urged Harris to run, and other Democratic leaders. Some Democrats are privately blaming Villaraigosa for not offering Harris' campaign enough resources to mount a vigorous campaign. They said the speaker has been distracted by his yet-unannounced campaign for mayor of Los Angeles. "The caucus is furious at him," one Democratic adviser

"If they can't get a ca
that's 65 percer
then they're in troubl

said. "People are wondering why he didn't pour all sorts of resources into the race to do more phone banks and polling. He's so focused on running for mayor of L.A., he's not been as focused [in his job]. The party knew at least two weeks before the election that Harris was in trouble."

Still others, like outspoken veteran lawmaker Dick Floyd (D- Wilmington) have made no secret of their displeasure with the speaker. "I blame the leadership for not taking the bull by the horns," he told the *Los Angeles Times*.

When told about internal party grumblings, Villaraigosa appeared incredulous. "Democrats are saying this?" he asked. "Most of those people don't know what we did," he said. "We made a strong effort in winning this seat."

---

integrated economically" and protection of an environment in harmonious synch with humanity.

Going for the gusto

"That just all struck a chord with me that I don't think I'll ever find in the two major parties again," Bock said in an interview. The reporter said he didn't think she would either, and the laughter rejoined the conversation.

Her candidacy was not a long-held dream; she was talked into it, Bock said, but once in the hunt, any passivity she felt vanished. Discarded at the outset was the minor party election outlook that assumes defeat is inevitable.

"We said to ourselves, 'Why do this unless you want to win?'" and with that "we really started working on it and got more people involved than had ever been involved in a Green candidate before."

She said she will bring the same vigor to the job of legislating and mentioned health care and education as priorities. "I look forward to adding my voice to the progressive side of those issues."

Looking ahead, she knows this much: "If I don't do a good job for the people in my district, I would be ashamed to stand for reelection."

In the Assembly chamber, Democratic majority leadership decides where members are seated; the honchos placed Bock at a desk she will share with a bombastic, crude old-timer, Democrat Dick Floyd of Wilmington — a ploy designed to discourage her from running again, someone half-jokingly suggested.

A mind of her own

But the supposed scheme may backfire. In her first substantive vote as an Assembly member, Bock, instead of being repelled by the seatmate ranting at her side, voted with Floyd and a solid bloc of Republicans in trying to knock down a bill that had the blessing of Democratic leaders. The measure, seeking enforcement powers for traffic inspectors that Bock found inadequate, passed, but just barely.

Bock brings to a Legislature already diverse in ethnicity, economic background and lifestyles — two members are openly gay — yet another set of attitudes and choices, some unusual for a politician, even a California Assembly politician. For one thing, she doesn't seem to bob, weave and sugarcoat stuff.

A parent, she made it clear she has never been married. She explained her departure from the inner Kurosawa circle — a defining period in her life — as stemming from "jealousy of his son" over her business associations with the famous father, a point she could easily have omitted when asked by a reporter to summarize that period of her life.

She is the only legislator to commute to Sacramento by Amtrak. For street transportation she's checking into the possibilities of an electric car.

But lest it seem that all is well for a rare political breed — an officeholder who feels accomplished, confident and alive with laughter at her good fortune — it is worth noting that not everyone is laughing with her. "She seems a pleasant woman," said a Democratic Party activist watching Audie Bock take her place in the Assembly chamber. "But she's sitting in our seat. We're going to take it back."

Max Vanzi is a freelance writer in Sacramento. Comments on this article may be sent to editor@statenet.com.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

idate elected in a district
Democratic,
up and down the state."
— Rod Pacheco

Villaraigosa and other Democrats blamed low-voter turnout for Harris' defeat. Only 15 percent — or roughly 29,000 of 190,000 registered voters — bothered to head to the polls. A district-by-district analysis of the vote shows it broke largely along racial lines, with Harris receiving more support from largely African American neighorhoods in East Oakland and Bock prevailing in Alameda and Piedmont.

"In the primary, we were able to convince the electorate that turnout was important," Villaraigosa said. "In the general election, it was much more difficult, especially with a candidate from a minor party running. The rain also kept people away."

'Throw out the rascals'

Some, however, blame Harris himself for mounting a lethargic campaign and underestimating a feisty and dogged rival. "You don't take for granted a race when you have such an articulate, viable opponent," said Assemblywoman Dion Aroner (D-Berkeley) who attributed Harris' loss to poor campaigning and his refusal to debate Bock. "Elihu didn't mount much of a race in general," she said. "In communities like ours, I think the electorate demands that. You have to be out there campaigning and talking about issues."

Tim Hodson, director of the Center for California Studies, said this case brings to mind the words of former U.S. House Speaker Tip O'Neill, that "all politics are local."

Hodson believes that voters were so dissatisfied with Harris — for a variety of reasons stemming from his performance as mayor — that they were willing to cast a protest vote for his opponent. Voters may have been angry with his handling of the relocation of the Oakland Raiders, which cost taxpayers money, or his slow progress in dealing with Oakland's failing public schools, he said.

"The voters were willing to support a third-party candidate as a way of voicing their dissatisfaction with Mr. Harris," Hodson said. "They looked to Audie Bock perhaps not as a viable alternative to Elihu Harris but certainly as an acceptable protest vote."

Others say voters were restless anyway and in the mood to "throw out the rascals." For many, Harris symbolized entrenchment in a city yearning for fresh ideas and change of the sort called for by new Mayor Jerry Brown.

"Oakland right now is in the throes of political upheaval," said Perata. "Elihu, for a lot of people, represented more of the same and voters were looking for something new and fresh. And of course, special elections are notoriously dangerous to ignore. You never take anybody for granted. You have to campaign vigorously until the polls close and [Harris] didn't do that."

Looking ahead

Already, Democrats are vowing to retake the seat next year. Even Harris said shortly after the election that he hadn't ruled out running for the Assembly seat again in 2000. For now, Harris said, he will take time to reflect and decide what to do next. "After 20 years in politics, this is the first time that I have suffered an election loss," he said. "Obviously, if you accept the will of the voters when you win, you must also accept it when you lose."

Bock, meanwhile, said she is anxious to get started and do her best for her constituents. "I love all this [media] attention," Bock said during her first day at the Assembly. "But now I have to get to work. There are lots of things I need to get up to speed on."

Many disagree on what went wrong for the Democrats, and the debate will likely continue as the party plans for the upcoming 2000 elections.

What's clear is that there were losers besides Harris. Some say the defeat of Harris, who is African American, has hurt blacks who have steadily experienced an erosion of representation in the Legislature. Oakland has been represented by at least one African American legislator for half a century — until now. In fact, there won't be an African American state representative north of the Tehachapis.

Others say the loss was a wake-up call to Democrats. Republicans, like former Assembly minority leader Rod Pacheco (R-Riverside) crowed about the defeat. "If they can't get a candidate elected in a district that's 65 percent Democratic, then they're in trouble up and down the state."

Even Democrats say the effect of Bock's win could go far beyond the embarrassment of what should have been an easy win. "This is a major victory for Republicans," said Democratic party consultant Jeff Raimundo. "The Green Party isn't going to affect policy in the California legislature. But this is going to energize the party and if you energize the Green Party, it's going to drain votes from Democratic candidates. And in a key election in 2000 which could determine things like control of reapportionment, this is not good news."

Emelyn C.L. Rodriguez is Capitol bureau chief for the Oakland Tribune. *Comments on this story may be sent to editor@statenet.com.*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Tube drea

A recent hearing of the state Senate's Public Safety Committee produced a somewhat unusual sight for a state Capitol committee room: A gathering of six or seven television cameras scattered around the room, recording the events. A look down the committee agenda and the attraction seemed obvious: "SB 23 (Perata): Firearms: Assault Weapons." A ban on large-capacity firearms. Just the sort of made-to-order controversy guaranteed to attract viewers and readers, right? Perhaps, but that's not what all the fuss was about.

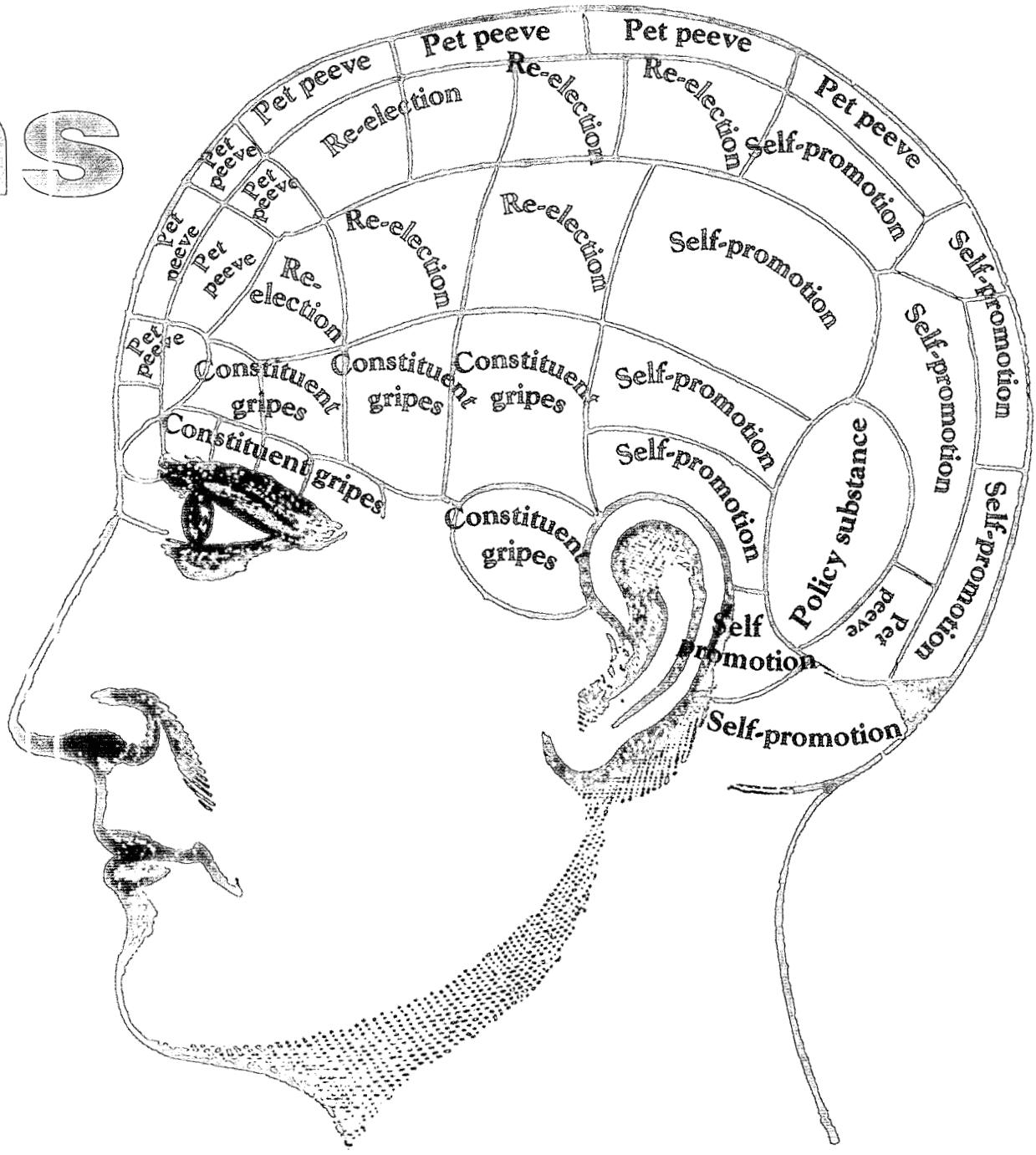
P.R. hungry legislators often resort to "out of the box" techniques to get inside the box — the one that flickers in the living room. "Mediagenic" measures tied to hot news stories or faux-consumer gimmicks have become stock in trade. The authors claim they're shining light on serious problems. Critics say they are shining light on themselves.

By Steve Scott

Before hearing about guns, the committee was slated to hear state Senator Maurice Johannessen's (R-Chico) legislation allowing owners of dangerous dogs to be charged with either a misdemeanor or a felony if their dog hurts someone. When Johannessen was done, the camera people packed up their tools and raced out of the room in pursuit. Only one managed to straggle back to check in on the assault-weapon bill.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

ms



Why would a dog-bite bill get so much more play than guns, the hottest of hot-button issues? One word: Visuals. Johannessen had brought along some victims of severe dog attacks, including one heartbreaking little boy from his district who had actually lost an arm after being attacked by a pack of dogs. By contrast, state Senator Don Perata (D-Alameda) had only men and women in business clothes arguing clip sizes and constitutionality. Only the most fervent Second Amendment wonk would find the latter more compelling to watch.

Much has been made of the declining attention paid to state government and politics by the broadcast media, especially television. There hasn't been an out-of-town television bureau in Sacramento for more than a decade, and press critics bemoan the almost legendary inattentiveness of the state's largest media market, Los Angeles. But through increasingly creative legislative and marketing tactics, some legislators are finding ways back onto the airwaves. In many cases, it isn't simply a splashy news conference or a striking visual. Often it is the

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

legislation itself that seems crafted with at least half an eye toward how it will play on television.

"Television works on a very short attention span," said Richard Zeiger, chief of staff to Assemblyman Kevin Shelley (D-San Francisco) and former editor of *California Journal*. "On these issues, you can hit, and you can run."

Creativity — or gimmickry — at this level presents some intriguing questions. Does the bill beget the TV coverage, or does the TV coverage beget the bill? Are legislators simply responding to the new realities of politics in an increasingly apathetic world? Or are they pandering to, and participating in, the ever-more-convincing victory of style over substance? And who do we blame for all this — the television news managers or the legislators that play to them?

Typically, the made-for-television measure has one of a couple of different characteristics. In many cases, it is simply a matter of catching the tailwind of current events. California's original 1989 assault-weapons ban — the first in the nation — was almost entirely a reaction to a horrific schoolyard shooting spree in Stockton that occurred in January of that year. In the aftermath of the 1997 death of England's Princess Diana, state Senator Tom Hayden (D-Santa Monica) introduced legislation to protect celebrities from media intrusiveness. Only last month, freshman Assemblyman Tony Strickland (R-Thousand Oaks) used a recent upward spike in gasoline prices as the "news hook" for legislation to abolish the state's gasoline tax.

Then there is what might be called populist consumerism. Some years back, then-Assemblywoman Jackie Speier (D-South San Francisco) earned what she concedes may have been her biggest media hit with legislation to equalize the dry cleaning costs of men's and women's shirts. Measures to eliminate bank check charges and automatic teller fees have become legislative staples. This year, Assemblyman Wally Knox (D-Los Angeles) got noticed with a measure to freeze the expansion of telephone area codes. And the year's hottest legislative media darling is grandmotherly freshman Assemblywoman Nell Soto (D-Pomona). Her bill requiring that gas stations offer free air and water to motorists won her the freshman legislator's version of the lottery — face time on L.A. news.

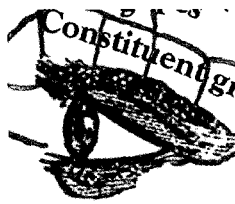
"I've only gotten local television coverage on three bills — condom distribution, jet-ski restrictions, and [pending legislation on privacy for users of] supermarket club cards," said Senator Debra Bowen (D-Marina del Rey), who just moved to the upper house after six years in the Assembly. "Local news is very oriented toward blood and guts, international stories, and an odd assortment of things that they think will get people's attention."

Bowen's irritation is typical of many legislators, who argue that their substantive legislative efforts are ignored in television's relentless quest for ratings. The case of Speier, now a state senator, is illustrative. One public relations pro called Speier "the princess of this stuff," extremely good at working the media and finding legislative niches to fill. But she has also been in the thick of the Legislature's weightiest issues, including insurance and health-care reform. Speier blames the decision-making in television newsrooms for the "dumbing down" of legislative coverage.

"It's very frustrating," said Speier, who returned to the Legislature this year. "Some of the bills that have the most impact on the most people are not visually appealing or easily described in a 30-second sound bite."

At least one person intimately involved with broadcasting at the state Capitol agrees and is, if anything, even more scathing in his criticism of his industry. Steve Mallory runs PACSAT Communications, whose subsidiary, Northern California News Satellite, produces a daily news feed delivered to dozens of television stations around the state. Mallory says NCNS is often asked to cover stories he considers trivial, while TV's potential as a

"It's all slash, flash and trash. They want [the story] to bleed, scream and yell." — Steve Mallory



Law Offices of
OLSON HAGEL LEIDIGH WATERS & FISHBURN LLP

ATTORNEY OPPORTUNITY

Political and election law firm seeks associate attorney with at least two years legal experience. Position involves compliance counseling and reporting services to candidates, committees, unions, corporations and individuals.

Send resume to Diane M. Fishburn, Esq.
555 Capitol Mall, Suite 1425
Sacramento, CA 95814
Fax number is (916) 442-1280

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

substantive news source and watchdog on the process goes unfulfilled. "It's all slash, flash and trash," said Mallory. "They want [the story] to bleed, scream and yell."

But Mallory, who covered the Capitol himself as a television reporter in the 1970s, is just as blunt in his criticism of the authors of those trivial measures, accusing them of using television news to heighten their profiles so they can pull in more campaign dollars.

"Legislators play to that and try to do whatever they can to get those lobbyists to cough up the money," said Mallory. "Any way they can get attention in the press helps them raise money. That's why they need to be covered more and better."

There are indications the architects of local television news have become sensitive to criticism that they don't cover enough politics and government. The Radio-Television News Directors Foundation, a national trade organization, has created what it calls "The Political Coverage Project," which is aimed at schooling reporters and local news directors on techniques for covering money and politics and for making political coverage "ratings-friendly."

But television news managers remain defensive about their industry's perceived shortcomings. "You look at those surveys of how much time is spent on politics, and it hasn't changed all that much in the last five or ten years," said Darryl Compton, executive director of the Northern California Radio-Television News Directors Association. Compton, a former assistant news director at San Francisco network affiliate KRON, also contends most television news directors continue to keep tabs on Sacramento through the wire services and organizations like NCNS, and that new media have stepped in to fill some of the void left by television news' tilt away from politics.

"In the 1990s, there are other ways of the public being informed," said Compton. "There is direct access to what is going on through the Internet and The California Channel [California's version of C-SPAN]. Those who are interested in politics used to have to wait for the newspaper. Now those that are really interested can get it right away."

For their part, lobbyists and Sacramento's army of public relations experts take a somewhat centrist view. Most concede the hoops through which they must jump to get media attention for a Sacramento-based story have become progressively tighter over the years. But they also have been known to use a bill's capacity to obtain media attention as a carrot to entice a legislator to be the author of that legislation. So says Phil Perry, a Sacramento public relations specialist and one-time aide to former Assembly Republican Leader Jim Brulte.

"If [the lobbyist goes] over there, and says 'We've got this issue, we'd like you to carry the bill, and here's some sweetener — you'll get coverage because of this, this and this,' you stand a greater chance of getting them to carry the bill," said Perry.

Perry, whose firm handles a variety of health-related issues, admits it is aggravating to slave away on a serious policy matter and then see the television coverage going to the gimmick bills. But he disputes Mallory's contention that legislators deliberately try to tailor their agendas to fit TV's needs. "Not unless you've got someone real close to election time, and at that point everybody goes crazy," said Perry. Legislators defend their actions in similar terms, insisting their bills catch television attention because they affect a lot of people. "You have no idea the response I've had from consumers," said Soto of her free air and water legislation. "We're just trying to give people a break."

But others contend that to the extent legislators play to the camera, they contribute to the skewed squint on issues provided by local news. Citing current legislation by Assemblywoman Helen Thomson (D-Fairfield) requiring that health plans offer full coverage of severe mental health services, Senator Bowen says everyone in the media would benefit from a hard look at what issues really make a difference.

"Look at the families that have someone close to them that has severe mental illness," said Bowen. "[Thomson's] bill probably touches many more people's lives in a way that is much more profound than whether they have to pay a quarter to put air in their tires."

Comments on Political Editor Steve Scott's article may be e-mailed c/o editor@statenet.com.

The Union Institute

A leader in innovative adult education for over 35 years

RANKED AS ONE OF THE NATION'S TOP UNIVERSITIES

U.S. News and World Report's Annual College Guide

- B.A., B.S., and Ph.D. degree programs
- Tutorials and one-on-one mentoring
- Guided independent study in a variety of fields
- Accelerated and flexible year-round study
- Credit for college-level knowledge
- Financial aid available for qualified applicants

With three convenient learning centers in California
Call today. Summer semester starts soon!

Los Angeles	Sacramento	San Diego
323.935.8328	916.485.3276	619.491.0484
dean-la@tui.edu	dean-sc@tui.edu	dean-la@tui.edu

www.tui.edu

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Readin', writing and Riordan

by Sherry Bebitch Jeffe

Every politician knows you don't get mad; you get even. Los Angeles Mayor Richard Riordan, who ran for his first term in 1993 as a decidedly un-pol, appears to have built his education policy around that maxim. Never mind that L.A.'s mayor has no formal role in school governance.

Riordan became involved in education reform long before he ran for elective office; that has given him real credibility on the issue. Frustrated by the inability to shape schools' policy directly, the mayor has become increasingly vocal about what he sees as the failure of the Los Angeles Unified School District — the nation's second-largest and most diverse — to serve its students.

"The future of the city," Riordan insisted in his recent *State of the City address*, "depends on a revolution in the school district." The system's failings, he added, "make my blood boil."

To shake up the system, Riordan took the step, unprecedented in Los Angeles politics, of fielding and funding a slate of challengers against three school board members up for re-election in the April primary. He endorsed only one of the four incumbents running (the remaining three board seats are up in 2001). First-termer David Tokofsky, an Anglo teacher who is bilingual, narrowly won his 1995 race against a Latina in a district that had long been represented by a Latino. This year, Riordan backed Tokofsky, who appears to have barely squeaked out a victory over Yolie Flores Aguilar, who once worked for the mayor.

Some critics attacked Riordan for "meddling" in educational matters. Others labeled the mayor's approach "plantation politics." Black activist Danny Bakewell derided "the slave master mentality" that "allow(s) men like mayor Dick Riordan to anoint, select and finance candidates of their choice to govern our future."

Coalition for Kids, a political action committee established by the mayor, raised about $2 million. Contributors included not only his wife, but a veritable who's who of L.A.'s business, finance and legal communities.

Veteran political consulant Bill Carrick, with close ties to both the GOP mayor and high-powered Democrats like U.S. Senator Dianne Feinstein, honchoed a coordinated campaign effort. Riordan's strategists maintained control over how most of the PAC money was spent, leading Jeff Horton, one of the targeted incumbents, to label Riordan's candidates "puppets."

The mayor's PAC paid for mailers, radio spots, precinct walking, signs and telephone banks. In addition, it funded an extensive television ad campaign for two of his candidates. Caprice Young, an IBM executive and former Riordan staffer who challenged Horton, and Mike Lansing, director of the San Pedro Boys Club, George Kiriyama, got the lion's share of Riordan's largesse. Genethia Hayes, the executive director of the Southern Christian Leadership Conference's L.A. branch and the mayor's endorsed candidate against South L.A. incumbent Barbara Boudreaux, also received money.

Never mind that L.A.'s mayor has no formal role in school governance.

What resulted from the mayor's involvement was Los Angeles' costliest, most bitter and hardest-fought school board campaign. It has exacerbated an environment of frustration, skepticism and even anger over a school system perceived to be imploding on itself.

Candidate forums were sponsored by the Committee for Effective School Governance, a high-powered group of prominent civic, education and business leaders — some of whom happen to be close allies of the mayor.

These forums, like Riordan's initiative, brought increased visibility to contests that usually do not attract much voter or media attention.

When the results were in, of the three Riordan-backed insurgents, two — Young and Lansing — won decisively. The third, Hayes, forced incumbent Boudreaux into a June runoff.

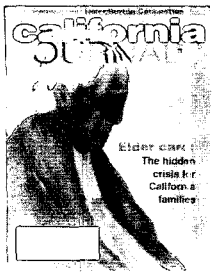
What's next? Will the L.A. school board and its diverse constituencies be able to get beyond the divisiveness of the campaigns?

Or will the 1999 elections exacerbate the racial, socio-economic and cultural tensions that lie beneath the surface of Southland life — and every now and then bubble up to remind us of how far we have yet to go?

In essence, L.A. voters have backed Riordan in his drive to fix the city's schools. Now he has to deliver the goods.

Contributing Editor Sherry Bebitch Jeffe teaches at the Claremont Graduate School. Comments may be sent to editor@statenet.com.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED



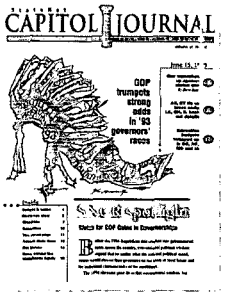
California Journal

Each month *California Journal* brings its readers lively, non-partisan reporting on politics, people and issues on the cutting edge of the nation's leading state. The award-winning *Journal* contains articles on issues, profiles of state decision makers, and intelligent columns, all presented in an inviting, readable format.

$39.95

annual subscription

State Net CAPITOL JOURNAL



Capitol Journal is *the* publication about political life in the nation's largest and most vibrant state. It gives you news stories, schedules for legislative floor sessions, committee hearings and other Capitol events.

The *Capitol Journal* is also an intricate part of State Net's Capitol News Plus online service. This CNP service includes timely bill updates along with every version of the bill's text — status and text of Congressional bills too.

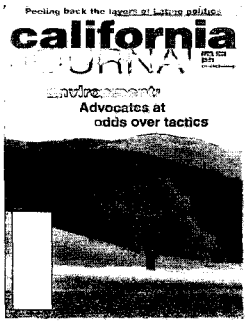
No one whose livelihood depends on events in the Capitol can afford to be without this detailed, informative, and insightful product.

Annual Subscriptions:
Daily & Weekly $480

For more information:
www.statenet.com

Journal Subscription Orders

❑ Yes, enter my subscription at $39.95



❑ **Library or Government Agency, $59.00** (includes index)
❑ **Corporation or Association, $95.00** (includes index, reprint rights and Quick Query Service, which provides spot research on state government and politics)

Your name _____

Organization _____

Address _____

City, State, Zip _____

Phone _____

❑ Bill Me

❑ I have enclosed payment of $ _____

❑ **M/C,VISA or AM.EX#** _____ Exp ____

Signature _____

BOOKS/SUBSCRIPTIONS

SUBSCRIPTIONS *(No sales tax or shipping)*
❑ **California Journal, $39.95**

State Net Capitol Journal - California
❑ **Daily & Weekly,** $480.00

ORDER NOW!

New 1999 Editions

❑ **Roster and Government Guide,** 1-2 copies, $3.50 ea.; 3-49 copies, $2.10 ea.; 50-99, $1.20 ea.; 100+, $.90 ea.

❑ **1999 California Pocket Roster,** 1-2 copies, $9.95 ea.; 3-9 copies, $7.45 ea.; 10-29, $4.95 ea.; 30-99, $2.25 ea.; 100+, $1.50 ea.

The California Directories
❑ State Government, $125.00 (looseleaf, inc. 3 quarterly updates)
❑ 1999 Lobbyists/PACs, $40.00
❑ 1999 Local Government, $60.00
❑ All three, $195.00

❑ **50-State Legislative Directory, 1999,** $95.00

❑ **Campaigning in California,** 1-2 copies, $4.95 ea.; 3-49 copies, $2.95 ea.; 50-99 copies, $2.35 ea.; 100+ copies, $1.49 ea.

❑ **Calif. Government & Politics Annual,** 1998-99, $8.95 ea.

❑ **California Political Almanac 1999-2000,** $34.95

❑ **California's Budget Dance,** 2nd Edition; $9.95

❑ **Political Action Handbook,** 1-2 copies, $3.95 ea.; 3-49 copies, $2.95 ea.; 50-99, $1.95 ea.; 100+, $1.49 ea.

Popular Books by Lou Cannon
❑ **President Reagan: Role of a Lifetime,** $9.95

❑ **Reporting: An Inside View,** $4.95

Journal Back Issues
❑ **Single issues of Journal,** $3.95 ea. Specify dates.
❑ **Complete years 1970-1998 with index,** $35.00 ea. Indicate year(s).
❑ ***Journal* Index,** $10.00 ea. Indicate year(s).

Ordering Information

Check or credit card number must accompany all orders.

Your Name _____
(Please Print)

Organization _____

Street Address _____

City, State & Zip _____

Phone _____ Ext___ Fax _____

Signature _____

M/C, Visa or AmEx# _____ Exp.____

Amount due:
Non-subscription subtotal _____
Tax: 7.75% _____
Shipping 10% *(min.$3.00-max.$75.00)* _____
Subscription subtotal _____
TOTAL _____

❑ **I have enclosed payment**
❑ **Charge to my credit card:**

FOR EVEN FASTER SERVICE, CALL (916) 444-2840

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES

BUSINESS REPLY MAIL

FIRST CLASS MAIL PERMIT NO 3472 SACRAMENTO, CA

POSTAGE WILL BE PAID BY ADDRESSEE

7/99

CALIFORNIA JOURNAL
2101 K Street
Sacramento, CA 95816-8983

BUSINESS REPLY MAIL

FIRST CLASS MAIL PERMIT NO 3472 SACRAMENTO, CA

POSTAGE WILL BE PAID BY ADDRESSEE

7/99

CALIFORNIA JOURNAL
2101 K Street
Sacramento, CA 95816-8937

NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Unionization of charter schools

by Lance T. Izumi

These first few months of total Democratic hegemony in Sacramento have been very good for California's labor unions. Governor Gray Davis has appointed a slew of former union officials to key positions in his administration. Davis has also initiated an array of pro-union policies such as his de facto requirement that state employees hold meetings and conferences at unionized hotels. Even Davis' education proposals were carefully crafted to mollify the concerns of the unions (e.g., the details of Davis' teacher peer review program were left to local collective bargaining, guaranteeing continued union protection of incompetent teachers).

Emboldened by the friendly political atmosphere, big labor is pressing to overturn or neutralize key reforms passed under Republican administrations. An especially outrageous such attempt is AB 842, a teacher-union-supported bill that would force collective bargaining on the state's charter schools. If passed, the entire rationale for charter schools would be undercut.

Governor Pete Wilson signed California's original charter school law in 1993 and last year signed charter school expansion legislation. Under current law, charter schools are autonomous schools within the public system that are freed from burdensome education code regulations in exchange for meeting the specific goals listed in their founding "charters." Since charter schools are independent of the school district in which they are located, they are not subject to the district's collective bargaining agreements.

Many charter schools have used this freedom from union contracts to institute innovative personnel practices. For example, at Fenton Avenue Charter School, teacher Susan Cornell notes, "We choose class assignments based on what's best for the kids, not seniority." At the Vaughn Next Century Learning Center, one of the state's top charters, teacher pay is tied to student achievement — a concept that is an anathema to the teacher unions.

Yvonne Chan, Vaughn's principal, says, "If [AB 842] passes it will be the districts and the unions that run charter schools." Eric Premack, a charter school expert at the CSU Institute for Education Reform, warns: "[The legislation] would take away probably the most important freedom that charter schools have. It would not only force them to bargain collectively, but to bargain as part of the existing bargaining units." In other words, all the bad practices contained in the collective bargaining agreements, such as teacher tenure, would be forced on charter schools.

Charter school employees point out that although the unions claim to want to protect the rights of charter school personnel, the reality is much different. Marcia Strauss, a Fenton psychologist, said that the giant United Teachers of Los Angeles (UTLA) failed to meet the needs of charter school teachers.

Despite the protest of charter school administrators, teachers and parents, the Democratic majority on the Assembly Education Committee bowed to the pressure from the teacher unions and approved the bill. Indeed, the arguments made by the bill's Democratic supporters were based not on academic considerations but mostly on simple pro-union prejudice. Assemblywoman Carole Migden (D-San Francisco), the bill's author, said she was "rankled" that public money was going to pay for schools that didn't have collective bargaining agreements.

> Will Davis choose good public policy or feel obligated to further pay back his union allies?

Even worse, Assemblyman Scott Wildman (D-Glendale), a former teacher union organizer, strongly supported the bill saying that it "will bring the charter school movement into the regular educational process." Charter schools, though, were created specifically so they wouldn't be part of the "regular educational process". An exasperated David Patterson, an official with the state charter school association, said the bill "will destroy [charters] ability to be different and be a catalyst for change."

If the bill does eventually pass through the full Legislature, it will be interesting to see how Gov. Davis acts on it. Davis has called charter schools "laboratories of educational innovation," and his education secretary, Gary Hart, authored California's original charter school law. On the other hand, the teacher unions were among the biggest financial supporters of Davis' campaign. Will Davis choose good public policy or feel obligated to further pay back his union allies? That's a choice, no doubt, the governor hopes he doesn't have to make.

Lance T. Izumi is a senior fellow at the Pacific Research Institute in San Francisco. Comments about this column may be sent to editor@statenet.com

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Targeting California

Gephardt, Democrats make California a central piece of their 2000 electoral campaign to retake control of the U.S. House

By Anthony York

Five years after the Democrats lost control of the U.S. House of Representatives, Minority Leader Richard Gephardt has decided to forego a run for the presidency to focus on putting the lower house back in Democratic hands. After stunning the pundits and political prognosticators by picking up five House seats in 1998, Gephardt is now focused on claiming the speakership, and a big part of that plan includes California.

Last year, a year of overwhelming success for Democrats nationwide, the party had mixed results in California. It lost two seats with U.S. Representative Jane Harman's decision to run for California governor instead of reelection and with the retirement of Vic Fazio (D-Carmichael). Both of those seats crossed over to the Republican column, but Democrats cut their losses in half when St. Helena Democrat Mike Thompson won the seat held by U.S. Representative Frank Riggs.

This year, Democratic optimists think they can capture anywhere from two to four seats in California alone, moving them that much closer to taking back a house they ran for 40 consecutive years before Republicans snatched control in 1994.

Public enemy No. 1 for Democrats is none other than James Rogan, the former Glendale assemblyman and House impeachment manager who faces his fiercest reelection battle to date. Last year, despite a Democratic tide, Rogan eked out a victory against Democrat Barry Gordon. Last month, state Senator Adam Schiff, whose Senate district sits entirely within the 27th Congressional District, announced he will seek the Democratic nomination for the seat.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Illustration by Anthony Strom

> What impeachment showed is that when push comes to shove, Jim Rogan puts the interests of the Republican Party and the right wing before the interests of his constituents."
> — John Del Cecato

D.C. comes calling

Though Schiff has run twice against Rogan for the Assembly and lost, he is now a well-known and well-respected elected official who would be a difficult obstacle to Rogan's re-election.

"Adam is a world-class candidate," said John Del Cecato, spokesman for the Democratic Congressional Campaign Committee. "He's a good fund-raiser, he understands the district and appreciates local issues."

Schiff said there was intense pressure for him to run both in the district and from Washington. "Over the last several months, there's been a crescendo in the district urging me to run," he said. "The groundswell really came before I heard anything from Washington."

But soon enough, Washington came calling, and in March, Schiff flew back east to D.C. to meet with Gephardt and DCCC Chairman Patrick Kennedy. "Plainly, they felt this seat is a very winnable seat, and they strongly encouraged me to run," said Shift.

The DCCC was semi-privately spreading the word of poll numbers that showed Rogan to be vulnerable to help lure Schiff into the race. "We found that 39 percent were less likely to vote for him because of impeachment, and only 34 percent of voters were likely to re-elect him," Del Cecato said.

Though Schiff downplayed the significance of Rogan's involvement in the impeachment trial, his Washington backers seemed more willing to predict it would remain an important factor in the upcoming election.

Right-wing loyalty

"Here's a guy who's made a reputation for himself as a moderate Republican," Del Cecato explained. "But what impeachment showed is that when push comes to shove, Jim Rogan puts the interests of the Republican Party and the right wing before the interests of his constituents."

But there is growing speculation that Schiff's opponent may end up being someone other than Jim Rogan. Some of Rogan's closest advisors are pushing him to run against Dianne Feinstein for the U.S. Senate, and in late March, 35 of the statehouse's 47 Republican legislators signed a letter circulated by state Senator Ray Haynes (R-Riverside), praising Rogan's "heroic actions" in the impeachment proceedings and urging him to run for higher office.

Former Assembly Speaker Curt Pringle, one of Rogan's closest personal friends, is among those pushing Rogan to make the run for the U.S. Senate.

"He is one of the strongest leaders of our party," Pringle said. "The Republican Party is wanting for people to step up in terms of leadership skills. The question he is facing is, 'Do you work hard and run for Congress and win, only to have a job for two [more] years, or do you take what's available to you and use that as an opportunity for advancement?'"

Even if the impeachment issue begins to fade from voters' minds, Rogan may be claimed by another factor: demographic shifts that have made his district considerably more Democratic over the last decade.

Shifting demographics

Labor's stepped-up activism in the area, and the influx of Asians, Pacific Islanders and Latinos who have overwhelmingly registered as Democrats, have made the area more difficult terrain for Republicans.

But the political chain reaction activated by Schiff's departure from the Senate will turn Glendale, Burbank and Pasadena into a political hotbed in just a matter of months. Already, Democrats have thus far been unable to avoid a brewing primary brawl pitting Assemblymen Scott Wildman (D-Los Feliz) and Jack Scott (D-Pasadena) against each other in a contest over Schiff's state Senate seat. Particularly worrisome is the prospect of leaving open two competitive Assembly seats — Scott's and Wildman's — with reapportionment on the line.

"It will be ground zero," promised Senate Republican Caucus Chair Jim Brulte (R-Rancho Cucamonga). "If those three [Democratic incumbents] had all stayed in place, they'd probably all be re-elected. It takes a Senate seat that would not have been competitive if Schiff was running as the incumbent, and puts it back in play."

A flood of cash is expected to pour into the district. Schiff, who spent more than $1.7 million in his 1996 Senate run, said he is prepared to spend at least that much for his congressional bid, and each of the three legislative races could cost each party more than $1 million per seat.

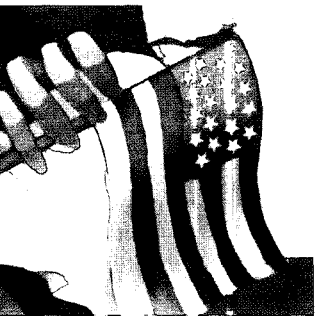
Gordon, who ran for Congress last year, is said to be eyeing Scott's Assembly seat, and Governor Gray Davis' appointments secretary, Dario Frommer, has surfaced as a possible candidate in the Wildman seat.

Trio targeted

Brulte said he and Senate GOP leader Ross Johnson (R-Irvine) are just beginning their candidate recruitment for Schiff's seat, while the recent leadership change in the Assembly Republican Caucus has temporarily frozen GOP recruiting efforts on the Assembly side.

While the Los Angeles area promises to be the scene of lively political contests on both the federal and state level, the DCCC is also actively recruiting candidates to chal-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED



lenge other Republican incumbents across the state. The common theme in each race is impeachment.

Each of the other three targeted Republicans supported efforts to remove President Clinton from office, and one, San Diego Republican Brian Bilbray, faced a fierce re-election fight in 1998.

Bilbray is drawing Assemblywoman Susan Davis (D-San Diego) as a challenger. Mirroring the pattern in the Schiff/Gordon switch, the woman who almost defeated Bilbray last time out, state Coastal Commissioner and San Diego Councilwoman Christine Kehoe, will likely run for Davis' Assembly seat.

"The local party is going to rally around Christine," Davis said. "I'm not even sure there will be much of a Republican challenger against her."

The other targeted Republicans are U.S. Representatives Tom Campbell (R-Campbell) and Steve Horn (R-Long Beach). California Democratic Party political director Bob Mulholland pointed out that Horn received only 52.5 percent of the vote in 1998. But that was in a Democratic tidal wave, and the Democrats' strongest candidate, Long Beach Mayor Bev O'Neill, is a personal friend of Horn and is unlikely to run a campaign against him. Democrats are said to be focusing in on Del Roosevelt, grandson of Franklin Delano Roosevelt and a Long Beach councilman, as a potential challenger to Horn.

Will Campbell survive?

Campbell, a quintessential moderate Republican who is also said to be eyeing a U.S. Senate run, took heat in his district after he came out in support of impeaching the president. To put out the fires, he called a series of town meetings, more like venting sessions, and took it on the chin from his constitutents. Though there have been attempts to draft former San Jose Mayor Susan Hammer, Campbell is another incumbent that many Republicans, and even Democrats privately, view as untouchable.

"Anyone, be they Republican or Democrat, who runs on the impeachment issue runs the sincere risk of having it blow up in their face," said GOP strategist Ray McNally. "I just don't see it as a salient issue by the time 2000 rolls around."

Even Del Cecato of the DCCC sounded a cautious note on prospects of an election strategy centering on impeachment. "We are acutely aware of the dangers of peaking too soon," he said. "But we're going to make every effort to sustain the gains we've made, and if that's your biggest challenge, you're in a pretty good position."

Anthony York, former associate editor of the California Journal, *is an associate editor at the Internet magazine,* Salon. Comments *about this article may be sent to editor@statenet.com.*

California collects $9,841,860* in taxes every hour. That's 9,841,860 good reasons for joining Cal-Tax.

Tax-wise corporations clearly understand the axiom, "It's not how much you earn, it's how much you keep." That's why they rely on the California Taxpayers' Association to alert them to tax policy threats and opportunities that can affect their bottom lines. Membership in Cal-Tax gives your company our ***Early Warning System*** and ***Rapid Response Advocacy***. We provide the most complete information available on tax policy changes in California.

- ***Cal-Tax Online***, our award-winning Internet service, provides instant access to daily information and comprehensive reports.
- The ***Caltaxletter and Cal-Tax Digest*** provide expert reporting and analysis.
- Special e-mail and fax bulletins alert and mobilize members on hot-button issues.

Make Cal-Tax your business partner and advocate on tax issues: Check out our website (www.caltax.org), then phone, fax, or e-mail us for a copy of a current issue of the ***Caltaxletter*** and membership information.

** Total state and local taxes according to U.S. Census Bureau data.*

Cal-Tax
Established 1926

California Taxpayers' Association
921 Eleventh Street, Suite 800, Sacramento, CA 95814
Phone: (916) 441-0490 • Fax: (916) 441-1619 • E-mail: larry@caltax.org

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Choreography *a la* Clinton

by Susan Rasky

It is scholars who someday will decide whether the legacy of the Clinton presidency, framed by a tawdry sex scandal and a war in the Balkans, is a set of modest or better-than-modest domestic accomplishments. In the meantime, California journalists are discovering that one part of Bill Clinton's legacy already is quite clear — the part that keeps showing up every time Governor Gray Davis makes a public appearance.

For lack of a better description, call it "message obsession" — the relentless effort to create and control the images and information the media present to the public, the triumph of form over substance. This is not the same as the familiar political tactic of spinning a story to cast a candidate or officeholder in the most favorable light.

Clinton and his advisers demonstrated their mastery of mere spin on the campaign trail in 1992. What they perfected at the White House and raised to a high art in the 1996 campaign was something at once more difficult and more odious — the ability to identify popular but bite-size issues, frame them as important, then address or "solve" them in ways that maintained the president's high job-approval ratings.

If history is charitable, it may one day judge this as an acceptable, if not altogether inspiring way to govern from the center during economically prosperous times. Davis, who for now seems fixated on reminding us over and over about what a moderate he is, might argue that he simply is trying to navigate the reasonable center under similarly prosperous conditions in California.

In fairness to him and to the public, nobody should be making serious assessments of the governor's effectiveness with his term barely under way. He hasn't done anything important enough to judge yet.

But even as the governor's staff seems to have corrected a bumpy start with Capitol reporters over access to cabinet members and to Davis himself, what emerges as a hallmark in these first months is a zealous and at times almost comic attempt to emulate the White House image-control operation. How else to explain an otherwise innocuous speech to the state Democratic Party convention in late March, where the initials of four outside political consultants — campaign manager Garry South, pollster Paul Maslin and media-meisters David Doak and Tom O'Donnell — appeared on the bottom of the text?

Davis leaves the impression that he is yearning to be "attacked" by more liberal members of his party.

The appearance of those initials on the public text was obviously a clerical blooper. The question is: What in the world was all that high-priced talent supposed to be vetting? A few political bromides to the party faithful? A rehash of the material Davis used in countless stump speeches? Did a governor who won election by a 20-point margin really need help with "message?"

The overkill also was evident in a pointless, "first 100 days" press conference at which Davis touted his achievements: the passage of four largely symbolic and non-controversial education measures by a Legislature dominated by the governor's party; a compromise on the Headwaters Forest (or "headwoods," as he repeatedly calls it) that largely was the doing of politicians other than himself; and a goodwill trip to Mexico that would have produced a warm welcome for any California politician who was not Pete Wilson.

In response to the one mildly probing question about whether Californians might have to think about higher taxes to pay for long-neglected infrastructure improvements Davis has said are part of his agenda, the answer was curious. "I resent this Sacramento elitism about raising taxes," the governor bristled. Perhaps he was thinking of the Washington Beltway, which is the usual context for separating "the elite" from "the people," and perhaps he has forgotten that Sacramento is where he has spent the past 25 years.

Infrastructure, by the way, was item number four on the upcoming agenda Davis outlined at his press conference. Public safety, expansion of the economy and health care were numbers one, two and three — which is exactly how they stack up in opinion polls.

Davis is not the first governor to let the polls guide his agenda, nor the first to keep a retinue of political advisers on retainer to think ahead to the next election. But with each overly contrived attempt to drive home an image as the pragmatic man of the center, Davis leaves the impression that he is yearning to be "attacked" by more liberal members of his party so his political operatives can make the case that he is standing up to them. If they're smart, liberals won't rise to the bait.

Contributing editor Susan Rasky teaches at the University of California, Berkeley, Graduate School of Journalism. Comments may be sent to editor@statenet.com.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The California ROAST

Heats Up For:

ASSEMBLY SPEAKER ANTONIO VILLARAIGOSA

Master of Ceremonies
San Francisco Mayor Willie Brown

When: **WEDNESDAY MAY 19, 1999**
6:00 PM - Cocktail Reception, Jazz Combo.
7:30 PM - Dinner
8:30 PM - Program.

Where: Radisson Hotel in Sacramento

Roasters: State Senate President pro Tempore John Burton
Los Angeles Mayor Richard Riordan; Lt. Governor Cruz Bustamante
Senator Jim Brulte; Assemblywoman Carole Migden

How Much: Sponsor - Reserved Table for Ten - $1,500
Patron - Reserved Half-Table for Five - $750
Individual Tickets - Open Seating - $150

Why: Proceeds from the event benefit CAPITOL FOCUS, a non-profit, non-partisan political awareness program serving citizens and youth from a cross-section of California Communities. Contributions are tax deductible to full extent allowed by the law. (Federal ID #23 718-2049).

CAPITOL FOCUS

For Reservations: For reservations or information, please contact:
CAPITOL FOCUS at (916) 443-2229
1220 H Street #102, Sacramento, CA 95814

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

U.S. Supreme Court rules on initiatives

Today, more than ever, initiative campaigns are a force to reckon with in California's electoral process. And even with the checks and balances provided by the courts, no slowdown is in sight for this galloping, burgeoning business. A case in point: A recent U.S. Supreme Court decision does little more than tweak the rules for who can — and who cannot — circulate petitions.

By Charles M. Price

Here's a question worth debating: Should an ex-con be allowed to circulate petitions for an initiative drive — when by law he is banned from voting in elections?

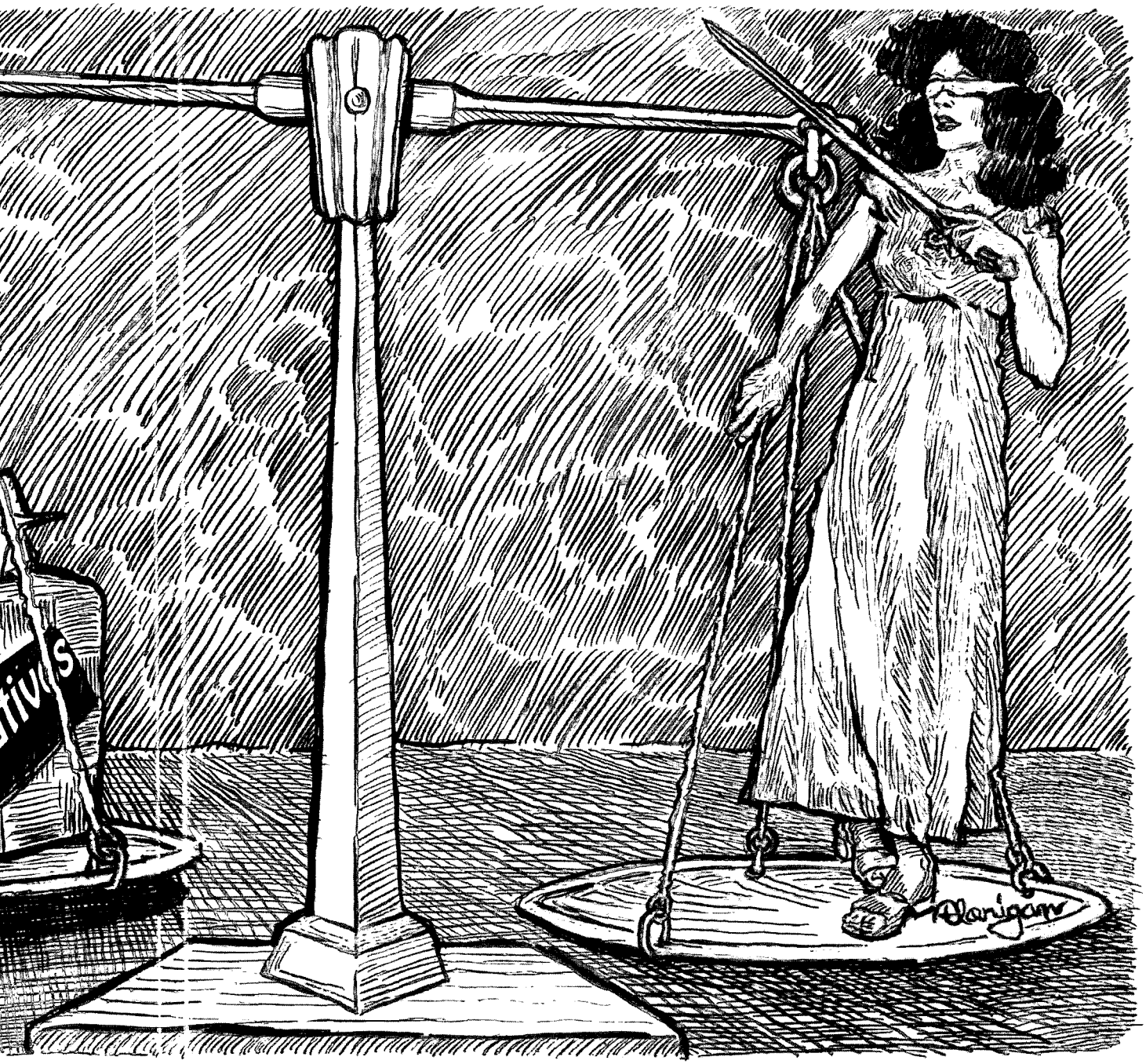
If so, should he wear an I.D. badge identifying his name and stating whether he is paid for each signature he gets?

How about outsiders? Should they be allowed to cross state lines as petitioners-for-hire, making a living from initiative drives as a seasonal crop-picker would from harvesting times?

And teen-agers? If they are old enough to work part time, should they be allowed to gather signatures — when they are too young to vote?

A recent United States Supreme Court decision addressed these questions, and more, that arose in the 24 states that allow initiative drives — most of them Western states that succumbed to Progressive reforms of the early 20th Century. The court's ruling stemmed from a Colorado case *(Buckle, Secretary of State of Colorado v. American Constitutional Law Foundation)*, but its decision will impact all two dozen initiative states as well, including California. The justices weighed in on the Buckle case with six voting "yes,"

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED



two agreeing in part and dissenting in part, and one voting "no."

Having already ruled in 1988 *(Grant v. Meter)* that states cannot ban paid petitioning because they cannot restrict political expression, this latest January 1999 ruling struck down several other restrictive regulations Colorado was imposing on the initiative process.

For one thing, the court ruled that a state cannot require circulators in initiative campaigns to be registered voters. To do so, "limits the number of voices who will convey the message, and consequently, cuts down the size of the audience proponents can reach," the court said. This means, in effect, that the first scenario posed above — of the former felon circulating petitions at the supermarket entrance — becomes a definite possibility.

The successful argument of Colorado initiative advocates was that, in circulating an initiative petition, "you're drawing on people who are not involved in normal partisan politics for the most part .... large numbers of these people are not registered voters." Chief Justice William Rehnquist dissented, saying, "State ballot initiatives are a matter of state concern, and a state should be able to limit

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

"Only registered voters of the electoral jurisdiction of the officer sought to be recalled are qualified to circulate or sign a recall petition for that office." — California election code

the ability to circulate initiative petitions to those people who can ultimately vote on those initiatives at the polls." He argued that allowing political dropouts or drug felons the right to circulate petitions scarcely passed the "laugh test."

The court majority also ruled that Colorado's requirement that petitioners wear identifying badges with their names on them and indicating whether they were hired guns or volunteers was unconstitutional. "In sum, we conclude ... the Colorado's current badge requirement discourages participation in the petition circulation process by forcing name identification without sufficient cause." The court did not rule on the narrower matter of whether states could require badges stating whether signature-gatherers were paid or unpaid.

At the same time, the justices upheld the right of states to impose an age requirement — 18 years old — for signature solicitors, and agreed with Colorado's 180-day limit for initiative circulation. By implication, the *Buckle* decision also signs off on California's 150-day petition circulation period. The justices chose not to rule on whether a state may require petitioners to be residents of that state because that question was not specifically raised by the suit.

Unlike Colorado, California does not have such a badge requirement, although bills have been proposed to change that. However, in California, petitioners, if asked, are required to disclose if they are paid or not for their efforts. Yet, "California solicitors are almost never asked this," noted professional petitioner Bill Arno.

Finally, the court struck down a section of Colorado's disclosure requirements for initiatives ordering every petitioner to be listed and the amount of money each earned duly noted on the state's election reporting form. This, the court determined, was excessive. California has no such disclosure requirement.

Will eliminating the voter registration requirement make it easier to qualify initiatives in California? Angelo Papparella of Progressive Campaigns, a professional petition company, believes the *Buckle* case "will not have a major impact in California. While California law technically restricts petitioners to registered voters, over the last several years the Secretary of State's office has not invalidated signatures if the circulator was not a registered voter. The decision was political reality: who is physically carrying the petition doesn't matter." Rick Arnold, president of National Voter Outreach, another petition company, stated, the court was saying: quit putting all of these restrictions of the process. So long as we have registered voters putting their names on initiative petitions, that should be sufficient."

Fred Kimball, of the Kimball Petition Management Company, agreed that the court decision would not affect California state initiative drives but "will have a beneficial effect [for professional petitioners] on local petition drives because local election officials had required petitioners to be registered voters. And this will also make it easier for us to qualify petitions in states like Arizona, Michigan and Missouri where they required petitioners to be registered voters."

Left unanswered by the court is whether a state can require circulators to be residents of the state, or, at the local level, whether petitioners must be registered in that community. At present, California has no residency requirement for state initiatives, but it is a requirement in many local entities. Mike Arno of the Arno Petition Consultant Company, said, "If the residency requirement were eliminated it would be helpful to our business because we'd be able to send signature crews, for example, from Sacramento down to Stockton on a local referendum."

At any rate, said Bill Arno, even though state election code stipulates that only registered voters of a city may circulate local petitions, "its enforcement in local communities is spotty at best."

Questions about a petitioner's residency are perhaps of greatest concern in communities where proponents are trying to recall a local official. State election code reads, "Only registered voters of the electoral jurisdiction of the officer sought to be recalled are qualified to circulate or sign a recall petition for that office."

In his criticism of the *Buckle* decision, Chief Justice Rehnquist commented, "Today's opinion, however, calls into question the validity of any regulation of petition circulators which runs afoul of the highly abstract and mechanical test [the majority used] of diminishing the pool of petition circulators .. and [the majority] maintains a sphinx-like silence as to whether it may even limit circulators to state residents." In short, the residency requirement for petitioners may be on shaky grounds in the court. Local election officials may deem that it is not worth it to try to enforce this requirement.

When the Buckle decision was handed down, California Secretary of State Bill Jones complained that the decision would lead to "increased commercialization of the initiative process." Disagreeing, Kelly Kimball of the Kimball Petition Management Company, argued, Can the initiative process can be any further commercialized than it is right now?

In any case, the *Buckle* decision once again draws attention to the critical role the courts play in determining not only whether initiatives are constitutional, but also in assessing whether the regulations states have erected to control the process are reasonable.

Charles M. Price is a retired professor of journalism at California State University at Chico. Comments may be sent to editor@statenet.com.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Join us in celebrating the United Nation's

International Year of Older Persons

at the

29th Annual

SENIOR RALLY

Thursday, May 13, 1999
11 a.m. — 3 p.m.
West Steps of the Capitol
Sacramento, CA

We'll be focusing attention on

- ✔ Nursing Home Quality
- ✔ Managed Health Care Reform
- ✔ In-Home Supportive Services
- ✔ Medicare
- ✔ Social Security

For more information, contact:

Los Angeles location:
3460 Wilshire Boulevard, Suite 300
Los Angeles, CA 90010-2223
TEL: (213) 380-1800
FAX: (213) 637-2200

AARP

Sacramento location:
980 Ninth Street, Suite 700
Sacramento, CA 95814-2727
TEL: (916) 446-2277
FAX: (916) 556-3000

RALLY COMMITTEE: American Association of Retired Persons; Calif. Legislative Council for Older Americans; Calif. State Employees Assn. – Retired Division; Congress of Calif. Seniors; Older Women's League. **CO-SPONSORS (PARTIAL LIST):** Calif. Advocates for Nursing Home Reform; Calif. Association of Area Agencies on Aging; Calif. Association of Adult Day Services; Calif. Association of Health Service at Home; Calif. Coalition for Rural Housing; Calif. Commission on Aging; Calif. Council of Alzheimer's Association; Calif. Foundation for Independent Living Center; Calif. Senior Legislature; Children Now; County Welfare Directors Association of Calif.; Cross-Disability Coalition; El Centro Latino de San Francisco; Fair Aging and Retirement; Family Caregiver Alliance; Gray Panthers of Northern Calif.; On Lok Senior Health Services; Planning for Elders in the Central City; Protection Advocacy, Inc.; Resources for Independent Living; Service Employees International Union.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Dancing with your sister

by Dana Wilkie

John Kasich's campaign staff likes to point out — in a way that sounds mighty close to boasting — that in the two months before Tax Day, the Ohio congressman made five trips to New Hampshire.

That teeny northeastern place covered mostly by forests. With a surface area one-seventeenth the size of California. And a population almost 30 times smaller.

This is the staff's way of saying that the Ohio lawmaker takes those New Englanders darned seriously.

And Kasich may be there again this month, along with several others who hope to become the next Republican presidential candidate. They'll attend a dinner compliments of the state's Republican Party. They'll wear themselves out trying to charm the socks off the state in hopes its voters, who will be the first to vote in next year's primary elections, will ignite a trend that carries them to the White House.

Yes, the candidates do visit California — sort of in the obligatory way a boy dances with his sister — but there just isn't the same, well, passion we see them investing elsewhere.

So it would follow that because California next year will hold its primary election three months earlier, becoming a much mightier player, that candidates will behave in California the way they've always behaved in New Hampshire. Or in Iowa. That place of cornfields and soybeans one-third the size of California, with about one-twelfth the population.

That is, presidential candidates are right now racking up those frequent flier miles getting themselves to the Golden State. They are knocking one another aside for an invitation to this town meeting and that church dinner. They were last seen touring the Central Valley for updates on water issues, while promising Silicon Valley-friendly laws, offshore oil-drilling bans and gobs more people to patrol the international border.

Not.

Yes, the candidates do visit California — sort of in the obligatory way a boy dances with his sister — but there just isn't the same, well, passion we see them investing elsewhere.

Even when seven of the presidential hopefuls were in Sacramento last February for the state GOP's gathering, most did not stray far from the convention hotel to find out what Californians think about things such as Social Security and health care. In a place with so danged many people, that might take more time than most of these candidates have, what with all that traveling to New Hampshire and Iowa.

Meanwhile, the big Republican guns — George W. Bush and Elizabeth Dole — didn't send so much as a calling card.

Nevertheless, people like Bill Jones, California secretary of state, remain giddy about the prospect of presidential candidates now making California's agenda their agenda.

"Every single presidential candidate threw their playbook in the trash can the day we moved [the primary] to March 7," effuses Jones.

Alas, there are killjoys afoot.

"I hate to say it," says Democratic consultant Paul Maslin. "That's a nice Chamber of Commerce phrase. But that's all it is."

If ever evidence should emerge supporting California's bigger, better, earlier primary would have the benefits it sought, much more attention from presidential candidates being one, it should be now. About the time spring started, *The Hotline* — a daily briefing on national politics — started tracking presidential candidates with the scorecard:

New Hampshire Senator Bob Smith spent five days in New Hampshire, one in California. Former Tennessee Governor Lamar Alexander was two days in New Hampshire, not once in California. Christian conservative Gary Bauer was four days in New Hampshire, not once in California. Former New Jersey Senator Bill Bradley was three days in Iowa, but not in the Golden State. Publisher Steve Forbes had been once to Iowa, four times to New Hampshire, none to California. Al Gore gets to California quite a bit, with taxpayers paying the bill. And Kasich had spent six days in California — crammed into just one trip.

Hugh Winebrenner of Drake University keeps a tally of candidate visits to Iowa. Even before Easter, the candidates collectively had spent nearly two months in the Hawkeye State.

No matter how many states join in the mad dash to an earlier primary, Iowa and New Hampshire will continue to be the threshing floor for presidential candidates.

"It doesn't make a lot of sense to go out and visit a few neighborhoods in Los Angeles," says Winebrenner. "You've created something so big that the candidates can't compete there successfully.

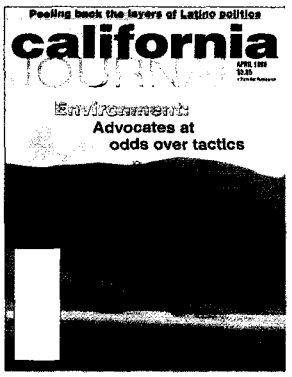
"And that may be the joke on California."

Contributing editor Dana Wilkie is the Washington bureau chief of the San Diego Union Tribune. Comments may be sent to editor@statenet.com.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

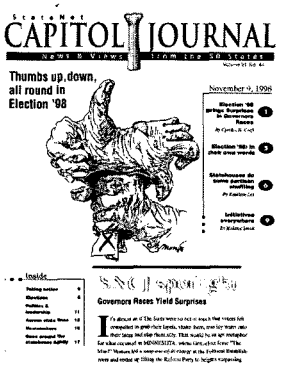
California Journal & State Net Publications

California Journal



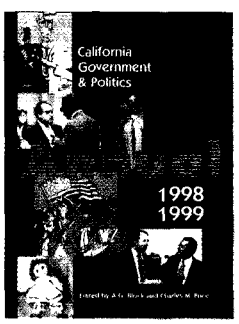
Each month *California Journal* brings its readers lively, nonpartisan reporting on the politics, people and issues at the cutting edge of the nation's leading state. The award-winning *Journal* contains articles on issues, profiles of state decision makers, and lively columns, all presented in an inviting, readable format. *$39.95 annual subscription.*

State Net Capitol Journal—California



Capitol Journal is *the* publication about political life in the nation's largest and most vibrant state. Reported and written by the editors of the *California Journal*, it has the feel of a newsletter but the impact of a magazine. The weekly is a miniature California Journal, with hard-hitting analysis of key issues and hot election races. The daily provides news stories, legislative floor session schedules, committee hearings, Capitol rallies, news conferences as well as client registrations among the lobbying corps and more. No one whose livelihood depends on events in the Capitol can afford to be without this detailed, informative, and insightful publication. *Daily & weekly. FAX, Web or E-mail delivery. $480. Also available: 50-State SNCJ & weeklies in MA, PA, IL, and OH.*

California Government and Politics Annual



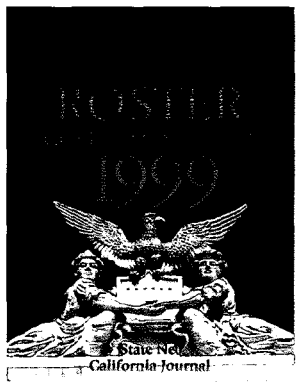
Includes a brief overview and reprints of *California Journal* articles covering the three branches of government, politics and elections, lobbying, finance, local government, direct democracy, and other issues. *8½x11", 96 pages. $8.95, paper.*

Coming this summer, the new

California Political Almanac, 1999-2000 edition

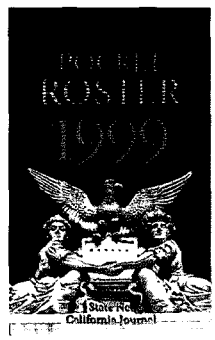
Candid analysis of every California member of the Assembly, Senate and Congress, as well as constitutional officers. Includes chapters on the bureaucracy, lobbyists, media, local government and more. 570 pages.

California Roster & Government Guide



This 8½x11" Roster contains the name, address, telephone number, top staff and district offices of every member of the Assembly, state Senate, and Congress plus constitutional officers and state departments. Includes 195 photos, legislative process chart, and committee memberships. *Annual, 40 pages, $3.50. Bulk discounts available.*

California Pocket Roster

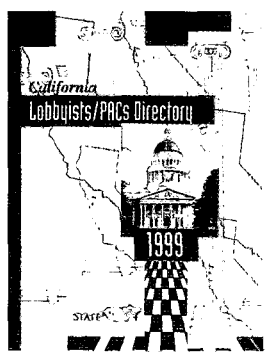


This handy, pocket-sized roster contains names, addresses, telephone numbers, top staff and district offices of every member of the Assembly, state Senate, and our members of Congress plus biographical information, district descriptions, committees, offices of the legislature, and much more. *Annual, 144 pages, $9.95. Bulk discounts available.*

California Local Government Directory

Lists every city and county with its top appointed officials, their addresses and phone numbers. More than 9,000 listings. *Annual, 300 pages, $60.*

California Lobbyists/ PACs Directory



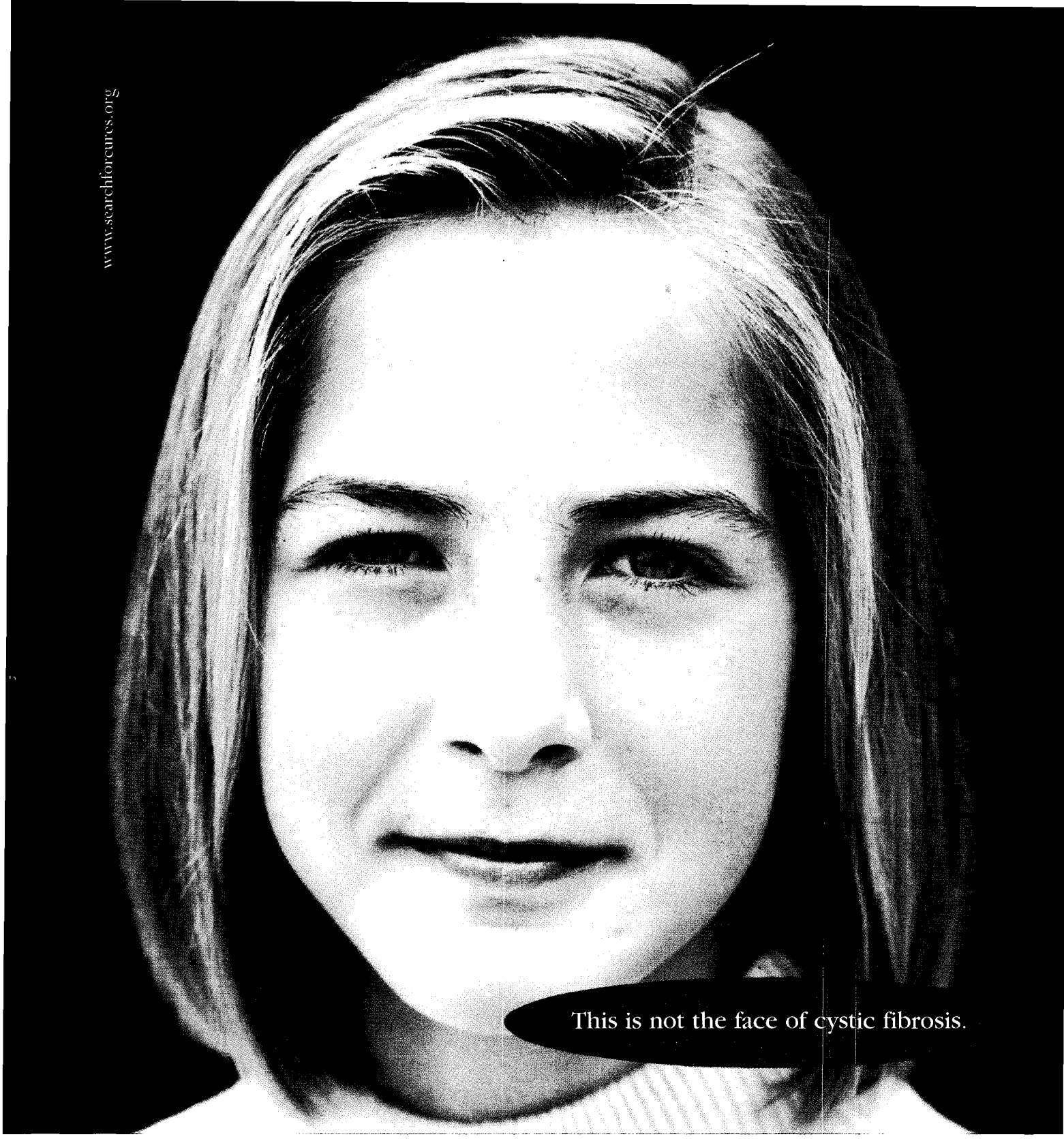
Incudes complete listings for 1,000 lobbyists, 300 firms, 2,000 employers and 1,500 political action commmittees. *Annual, 225 pages. $40.*

California State Government Directory

Loose-leaf with quarterly updates. Names, photographs, bios, district descriptions, addresses, phones, party affiliations, committees and staff for the Legislature. State departments, boards and commissions and their top staff. Indexed with more than 2,600 listings. *Quarterly, 170 pages, $125.*

Call now to order: (800) 726-4566 or (916) 444-0840 or FAX (916) 446-5369

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED



It's the face of Rachel Course, cartwheeler, violinist and an extraordinary kid. She has cystic fibrosis (CF), but it doesn't stop her from doing the things she wants to do. New medicines discovered by pharmaceutical company researchers have helped Rachel, and thousands of other CF patients, go from a life of little hope to one filled with dreams for the future. There isn't a cure for CF yet, but America's pharmaceutical companies get closer every day. So a little girl like Rachel can keep on doing what she does best. Being a kid.

America's Pharmaceutical Companies

Leading the way in the search for cures

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED